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THE JEWS IN NAZI GERMANY

**A Handbook of Facts Regarding
Their Present Situation**



NEW YORK
THE AMERICAN JEWISH COMMITTEE
1935

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THE AMERICAN JEWISH COMMITTEE

PREFACE

Exactly two years ago, on April 7, 1933, a law was placed on the statute books of the German Reich dismissing from the public service, and denying admission to this service of, all persons of "non-Aryan descent." The term "non-Aryan descent" was subsequently defined as meaning "descent from non-Aryan and especially Jewish parents or grandparents, even though only one of the parents or grandparents was of the Jewish religion." This law was the first of a long series in which the "non-Aryan descent" principle was successively applied to the pursuit of a number of vocations. The effect of this legislation was that it deprived of their livelihood thousands of Jews (and Christians of Jewish descent) who were engaged in professional life or who had selected liberal professions and civil service as their life work and denied to their children the opportunity to enter these professions. In spite of the absence of legislation directly affecting Jews in commercial and industrial pursuits, the continuing agitation of the National Socialists for the boycotting of businesses conducted by Jews, and the arbitrary actions of officials have gravely injured Jews in these fields and continue to do so on an ever-widening scale.

In the present volume a special chapter is devoted to an analytical summary of the anti-Jewish laws, decrees, and ordinances. Preceding this chapter, is a concise description of the number, distribution, and economic situation of the Jews in Germany before the present regime. These facts are frequently distorted or falsified by Nazi apologists and propagandists.

Following this information is a brief outline of the methods and material of propaganda which paved the way for the anti-Jewish measures adopted after the accession of the National Socialists to power.

The effects of these measures and of the attitude of part of the "Aryan" population, who took their cue from this legislation and from the propaganda of the National Socialists, prior to their advent to power, are described in a subsequent chapter. A special section is devoted to the plight of some sixty thousand Jews and

others, who found conditions in Germany intolerable and are trying to find a refuge in other lands.

Though these pages deal mainly with the Jews, it must be pointed out that many millions of non-Jews, too, are direct sufferers from oppression in Germany. They are suffering because they are believers in democracy, or because they are Catholics, or Socialists, or Communists, or internationalists, or pacifists. Yet, these groups can bring about an improvement in their condition by becoming reconciled to the Nazi principles. The lot of Jews and of Christians of Jewish descent, however, will remain precarious so long as the existing so-called "racial" principle obtains, on the ground of which they have been deprived of their universally recognized natural rights.

This publication supplements and brings up to date the material in a book of the same title, which was issued by the American Jewish Committee in June, 1933.

NEW YORK, APRIL 7, 1935.

FOREWORD

(To the 1933 edition)

IN the following pages are presented the facts regarding the acts of oppression and violence from which the Jews of Germany have suffered, and the degradation to which they are now being subjected under the present regime. These facts are submitted to the judgment of the public of the United States in the light of traditional American principles of justice and fair play.

NEW YORK, JUNE 19, 1933

THE ESTABLISHED AMERICAN POLICY ON HUMAN RIGHTS

We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness.

THE DECLARATION OF INDEPENDENCE

* * *

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for redress of grievances.

CONSTITUTION OF THE UNITED STATES

* * *

The citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy—a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of as if it was by the indulgence of one class of the people that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that those who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support.

GEORGE WASHINGTON (*In a letter to the Jewish Congregation of Newport, R. I., August, 1790.*)

* * *

. . . I wish your nation may be admitted to all the privileges of citizens in every country of the world. This country has done much. I wish it may do more; and annul every narrow idea in religion, government and commerce. Let the wits joke; the philosophers sneer; what then? It has pleased the Providence of the "first cause," the universal cause, that Abraham should give religion, not only to Hebrews, but to Christians and Mohametans, the greatest part of the civilized world.

JOHN ADAMS (*In a letter to Mordecai M. Noah, July 31, 1818.*)

* * *

In common with the people of the United States, the President has learned with profound feeling of surprise and pain, the atrocious cruelties which have been practiced upon the Jews of Damascus and Rhodes, . . . As the scenes of these barbarities are in the Mahomedan dominions, . . . the President has directed me to instruct you to do everything in your power with the government of his Imperial Highness, the Sultan, to whom you are accredited, consistent with discretion and your diplomatic character, to prevent or mitigate these horrors—the bare recital of which has caused a shudder throughout the civilized world; . . . The President is of the opinion that from no one can such generous endeavors proceed with so much propriety and effect, as from the representative of a friendly power, whose

institutions, political and civil, place upon the same footing, the worshippers of God, of every faith and form, acknowledging no distinction between the Mahomedan, the Jew, and the Christian. Should you, in carrying out these instructions, find it necessary or proper to address yourself to any of the Turkish authorities, you will refer to this distinctive characteristic of our government, as investing with a peculiar propriety and right, the interposition of your good offices in behalf of an oppressed and persecuted race, among whose kindred are found some of the most worthy and patriotic of our citizens. . . .

JOHN FORSYTH, *Secretary of State (In a letter to David Porter, United States Minister to Turkey, August 17, 1840.)*

The United States, knowing no distinction of her own citizens on account of religion or nativity, naturally believes in a civilization the world over, which will secure the same universal views.

PRESIDENT ULYSSES S. GRANT *(In a letter appointing Benjamin F. Peirotto as U. S. Consul to Bucharest, Roumania, December 8, 1870.)*

Religious liberty is the chief cornerstone of the American system of government, and provisions for its security are imbedded in the written charter and interwoven in the moral fabric of its laws. Anything that tends to invade a right so essential and sacred must be carefully guarded against, and I am satisfied that my countrymen, ever mindful of the sufferings and sacrifices necessary to obtain it, will never consent to its impairment for any reason or under any pretext whatsoever.

THOMAS F. BAYARD, *Secretary of State (In a letter to Baron Ignatz von Schaeffer, Minister of Austria-Hungary, May 18, 1885.)*

* * *

We should keep steadily before our minds the fact that Americanism is a question of principle, of purpose, of idealism, of character; that it is not a matter of birthplace, or creed, or line of descent.

Here in this country the representatives of many old-world races are being fused together into a new type, a type the main features of which are already determined, and were determined at the time of the Revolutionary War; for the crucible in which all the new types are melted into one was shaped from 1776 to 1789, and our nationality was definitely fixed in all its essentials by the men of Washington's day.

THEODORE ROOSEVELT *(In an address at the unveiling of the Sheridan equestrian statue in Washington.)*

But there lies a principle back of our life. America is not a mere body of traders; it is a body of free men. Our greatness is built upon our freedom—is moral, not material. We have a great ardor for gain; but we have a deep passion for the rights of man. Principles lie back of our action. America would be inconceivable without them.

WOODROW WILSON *(In an address at Carnegie Hall, New York City, December 6, 1911.)*

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CHAPTER I

THE SITUATION OF THE JEWS BEFORE 1933

1. Historical Summary

Jews have lived in Germany for 1600 years and more. There are records of Jewish communities as far back as the year 321 of the Christian era. According to some reports, Jews were in Germany even at the beginning of the Christian era, a statement which should not be surprising, because they came with, and under the protection of, the Romans among whom they had already lived for centuries. Evidence of their many centuries of residence in Germany is to be found in the remains of old cemeteries and synagogues and in official records at Speyer, Mainz, Worms, Cologne, Treves and other cities of the German Rhineland.

Up to the time of the Crusades, the Jews lived under normal conditions and in friendship with both the peoples whom they found settled in Germany, upon their arrival, and the tribes and peoples which came even later than the Jews themselves. It is generally admitted that a certain Jewish stock in Germany can point to a more remote German origin than a large part of those people who now are undisputedly accepted and considered as Germans. While the difference in religion was never completely overlooked, yet it led only to a few minor restrictions which never prevented the Jews from living according to their individual abilities and talents, with the same freedom that was enjoyed by the non-Jewish population of those times. Their condition became worse, when, during the Crusades, the religious difference was greatly emphasized. From then on, unconverted Jews were subjected to many kinds of restrictions, often to expulsion, and even, in some places and on some occasions, to wholesale murder. Such events led to special pronouncements of popes, benevolent kings, dukes and others, who gave their protection to the Jews, though not abolishing the many restrictions against them. Such were the conditions up to the eighteenth and, in some countries, even to the nineteenth century. The emancipation of the Jews in Germany and Austria began during the second half of the eighteenth century. It was greatly extended, but not completed, during the

Napoleonic Wars (1805-1815). In Prussia, the law of 1847 granted to the Jews a practically equal status. In 1869, two years after the establishment of the Norddeutscher Bund, a special law abolished all existing restrictions imposed upon the followers of different religions. This law was taken over by the Reich in 1871.

It took many years, however, before the actual status corresponded to the legal status of the Jews. As a result of administrative discrimination many inequalities and inequities remained in force until the World War.

In this connection, the following extract from an article in the April 1, 1933 issue of the *Völkischer Beobachter**, the leading National Socialistic newspaper in Germany, will be found interesting:

"As far as the Jews in Germany are concerned, they have lived in Germany since the time of the Romans. Very slowly, limited to certain vocations by government decrees, they gained political emancipation. But not before the period of liberalism did they obtain the desired liberties. In 1776, the "Declaration of Independence" gave them equality, and France followed in 1790. In Germany, the Jews had to wait until 1848. But even then the hopes for full emancipation were not completely fulfilled. In reality the German Jews were not admitted to all professions before 1918. In the last decades the Jews were able to strengthen their positions in economy, administration and in the liberal professions."

Since 1918, the equal legal and administrative status was so categorically manifested that discrimination, after this time and until the advent of the present National Socialist Government, never had official or semi-official character, though it continued to exist in many walks of life.

2. Number, Nativity and Distribution

Number

Insofar as available statistics show, the Jews always constituted about one per cent of the total population. For instance, in 1820,

*"Nationalist Observer," daily newspaper. Formerly published by Adolf Hitler in Munich, it was the leading Nazi organ. It now appears

the official census of the general population of the cities now comprising Germany indicated that there were 270,000 Jews, slightly more than 1% of the total population. During the following fifty years their numbers increased. By 1871, the Jewish population in Germany (including Alsace-Lorraine) had risen to 470,278. The general population had meanwhile had a parallel increase, so that the percentage of Jews remained about the same. In 1910, the Jews in Germany numbered 603,811, but the general population had mounted so rapidly that the percentage of Jews dropped to a little over 0.9% of the population. Available figures before 1933, those of the official census of June, 1925, gave Germany a population of 62,410,619 of whom 564,379 or 0.9% were Jews. Of these 404,446 lived in Prussia; 49,145 in Bavaria; 24,644 in Baden; 23,252 in Saxony; 20,401 in Hesse; 19,904 in Hamburg; 10,827 in Wuerttemberg; and 3,603 in Thuringia; 1,753 in Brunswick; 1,513 in Oldenburg; 1,508 in Bremen; 1,225 in Mecklenburg Schwerin; 1,140 in Anhalt; the remainder were scattered over the other German free states.

Nativity

The same census of 1925 contained information as to the place of birth of the Jewish population. These figures revealed that of the Jews resident in Germany, 485,000 were native, and 79,000 were foreign-born. The number of foreign-born Jews before the War was estimated to have been about 40,000. Aside from natural causes, such as excess of birth over deaths, the increase was a result of several political factors. In the winter of 1914-1915, General Ludendorff had issued a proclamation to the Jews of Poland appealing to them to place themselves under the liberal government of Germany. Many Jews, swayed by this appeal, migrated into Germany where they were employed as workers in Upper Silesia, Rhineland, and Westphalia. After the War, they were joined by numbers of Jews from German territory which had been ceded to Poland. Under the terms of the Peace Treaty, inhabitants of the ceded territories were permitted, within a certain time, to decide whether they wished to be Polish or German nationals. Many Jews opted for German nationality. This action made them unpopular among the Poles, and caused them to be subjected to discrimination and boycott, leaving them no choice but flight to Germany.

Transmigration

There had been for years a large movement of immigrants through Germany. No small share of German shipping before the war was built upon the transportation of Eastern and Central European immigrants to Western European and overseas countries. The number of these transients (which has been exaggerated into an army of 1,250,000 Jews) is given in official government figures. From 1919 to 1924 there were 130,391 such transmigrants passing through German ports; and from 1925 to 1931 there were 181,380. Of the latter group, 11,299 were natives of Germany. A high and arbitrary estimate would not give more than 50% of these transients as Jews. How limited the number of Eastern European Jews who remained in Germany was can be gathered from the percentage of the estimated 76,000 Eastern European Jews at the beginning of the Hitler regime as compared to the 79,000 officially recorded in 1925. The economic depression in Germany and the growth of the anti-Semitic movement had brought about this marked decrease.

Distribution

Whereas two-thirds of the German population is rural in character, two-thirds of the Jews live in cities. Students of history are familiar with the reasons for the relatively greater concentration of Jews in large centers of population. Forbidden access to the land and agriculture for many centuries, the Jews were forced to congregate in the restricted number of cities, in which they were admitted. Ghettoes were established not by, but for, Jews.

The following table of the population of German cities of over 100,000 inhabitants, according to the census of 1925, shows that the relative density of Jewish inhabitants ranged from 38 in 10,000 in Barmen to 628 in 10,000 in the historically "Jewish city" of Frankfort. In Berlin, 429 out of every 10,000 residents were Jews.

THE SITUATION OF THE JEWS BEFORE 1933

CITIES IN GERMANY OF 100,000 INHABITANTS OR OVER AND THEIR JEWISH POPULATION, 1925

	Total	Jews	P. C. of Jews to Total
Berlin	4,024,165	172,672	4.29
Köln	700,222	16,093	2.30
Breslau	557,139	23,240	4.17
Frankfurt a./M.	467,520	29,385	6.28
Essen	470,524	4,209	0.89
Hannover	422,745	5,521	1.31
Düsseldorf	432,633	5,130	1.18
Magdeburg	293,959	2,356	0.80
Dortmund	321,743	3,820	1.19
Königsburg i. Pr.	279,926	4,049	1.45
Stettin	254,466	2,615	1.03
Duisburg	272,798	2,080	0.76
Kiel	213,881	605	0.28
Gelsenkirchen	208,512	1,441	0.69
Barmen	187,099	721	0.38
Halle a. S.	194,757	1,236	0.63
Bochum	211,249	1,122	0.53
Altona	185,653	2,409	1.30
Elberfeld	167,577	2,335	1.39
Aachen	155,816	1,420	0.91
Kassel	171,234	2,750	1.61
Krefeld	131,098	1,626	1.24
Erfurt	135,579	819	0.60
Mühlheim a./d. Ruhr ..	127,400	626	0.49
München Gladbach	115,302	951	0.82
Wiesbaden	102,737	3,088	3.01
Hamborn	126,618	818	0.65
Oberhausen	105,436	513	0.49
Münster	106,418	580	0.54
Munich	680,704	10,068	1.48
Nürnberg	392,494	8,603	2.19
Augsburg	165,522	1,203	0.73
Ludwigshafen a. R.	101,869	1,211	1.19
Dresden	619,157	5,120	0.83
Leipzig	679,159	12,594	1.85
Chemnitz	331,655	2,796	0.84
Plauen	111,436	623	0.56
Stuttgart	341,967	4,548	1.33
Karlsruhe	145,694	3,386	2.32
Mannheim	247,486	6,972	2.82
Mainz	108,537	2,738	2.52
Hamburgh	1,079,126	19,794	1.83
Brunswick	146,725	939	0.64
Bremen	294,966	1,328	0.45
Lübeck	120,788	629	0.52

3. Occupations

General Summary

The following table shows the occupations of the 261,058 Jews listed as gainfully employed in the 1925 census:

Economic Group	Jews Engaged	Percentage of Jews in Group to all Jews Engaged in Work
A. Agriculture and Forestry	4,974	1.91
B. Industry and Handicrafts	63,276	24.24
C. Trade and Transportation	160,106	61.33
D. Civil Service and Liberal Professions	14,745	5.65
E. Health and Welfare Work	10,626	4.07
F. Domestic Work	7,331	2.80
Total	261,058	100.00

Until comparatively recent times, Jews were restricted in choice of occupation. Field, forest, and mine, and the important vocations associated with them, did not figure strongly in the list of occupations followed by Jews.

Because of their urban concentration, of historic restrictions, and of the occupational traditions that developed as a result, the principal occupations of 61% of the Jews was in the field of trade and its associated lines. Of the 160,106 listed, over one-half were employees in retail, wholesale, and service establishments. This includes salesmen, saleswomen, bookkeepers, clerks, stock room and delivery workers, and the like. The majority of the remainder, classed as employers or as being in business for themselves, were small business men, owners of retail stores, and itinerant peddlers.

Compared with the total population, out of every thousand Germans engaged in running small businesses, twenty-four were Jews; of every thousand engaged in business, as employers or employees, thirty were Jews.

Commerce and Industry

The comparatively large number of Jews in business is explained in part by the fact that trade was one of the occupations which they were permitted to follow: The number of Jews engaged in commercial activities, however, is frequently overestimated. According to statistics for 1925, of every 1,000 persons so engaged, 970 were non-Jews and 30 were Jews.

The same historical conditions which account, in a large measure, for the relatively high number of Jews in commerce account also for the fact that, in 1925, out of every 1,000 Germans engaged in shopkeeping (independent persons), there were 75 Jews and 925 non-Jews. It may be pointed out, in this connection, that the average income of this class of "little people" was far lower than the average income of the German middle class.

Chain and Department Stores

The development of a few independent business undertakings into great department stores corresponds to the universal concentration of business in fewer units. The hostility toward department stores of some sections of the German population, especially small shopkeepers, has evoked the fabrication of the absurd charge that the department store is somehow a "Jewish" invention. Even if it were, it is obvious that non-Jews have not hesitated to profit from the invention, whatever its origin. All over the world, there are many chain and department stores in non-Jewish hands. If these institutions have done harm to individual shopkeepers, the number of shopkeepers in Germany who have been injured, included relatively more Jews than non-Jews, as is clear from the statistics given in the preceding paragraph.

The concentration of business as exemplified by chain and department stores may need no defense, yet it is interesting to point out that statistics indicate that in Germany department stores did only 3.9% of the retail business of the country.

Hotels and Restaurants

According to the 1925 census of vocations, approximately 670,000 people, of whom about 4,600 (0.7%) were Jews, were engaged in occupations connected with hotels and restaurants.

In the hotel and restaurant business, out of about 195,000 independent proprietors, there were 2,480 Jews (1.27%).

Finance

The extent to which Jews entered the field of banking in Germany is indicated by the fact that of the 236,000 Germans listed as occupied in banking and stock exchange activities, 7,509 were Jews, in other words, of every 1,000 persons so engaged 967 were non-Jews and 33 Jews.

The fact that the percentage of Jews in this category is greater than the ratio of Jews to the entire population can be explained historically. For Jews, banking and stock exchange activity were from the beginning not entirely a question of fitness or inclination. They gravitated toward this calling as a result of the fact that the canonical laws of the Catholic Church forbade the taking of interest by Christians at a time when the development of commercial intercourse between nations required banking services for a great variety of financial transactions. With the turn of the nineteenth century, banking concentration commenced, which eliminated small private bankers and led to the establishment of large central institutions. Among experienced men who were entrusted with the management and control of the latter, it was natural that there should be a number of Jews.

The activities of Jews on the stock exchanges are closely connected with their position in banking, since stock operations made up an important part of the business of the smaller bankers. The connection of banks and, in view of stock exchange membership, of the stock exchanges with industrial corporations, made it necessary for bankers to belong to the boards of directors of corporations which they control or finance. Alongside of prominent Jews who sat on such boards were many far more influential non-Jews.

While individual Jews and non-Jews were members of a great number of boards, Jews were prominent among those who fought for a better morale, especially for increased protection of the stockholders of corporations against mal-administration by officers and directors. In the great debates on the reform of the German stock situation, many Jews took a strong stand for reforms. For example, Professor Arthur Nussbaum, an internationally recognized authority on commercial law, now at Columbia University, wrote and spoke a great deal on these subjects and was especially active in opposing the so-called "plurality" vote system which gave a few stockholders a great deal of power, and was sometimes used to the detriment of the smaller stockholders.

Liberal Professions

a. *Jurisprudence*

In 1925, there were 13,579 lawyers in Germany, of whom 2,900 were Jews. In 1933, it was estimated that the total number was

16,000 of whom 3,500 were Jews. The legal profession, it must be remembered, like medicine, is one in which a practitioner can compete on merit alone.

In the Berlin Division of the Prussian Supreme Court jurisdiction, there were 3,890 attorneys of whom 1,992 were Jews. In the other divisions of the Prussian Supreme Court and in the rest of Germany, the percentage of Jewish lawyers was considerably lower. The number of Jewish lawyers, moreover, who received preferment, such as appointments to posts in the judiciary and the Department of Justice, was exceedingly small.

The system of higher education peculiar to continental Europe, including Germany, also accounts for the number of Jews who entered the legal profession. Some German universities are so organized that students desirous of studying the social sciences (economics, political science, sociology), and not literature or the natural sciences, enter the Faculty of Law, where alone these subjects are taught. The graduates of this faculty generally are qualified to enter the civil or diplomatic services, the judiciary, large corporations, foreign trade business, or the law profession proper. Since Jews were not welcomed in the government service, judicial positions, or big business, those law graduates, who could not find employment in other fields, naturally entered the practice of law.

b. *Medicine*

Of the 52,000 physicians in Germany at the beginning of 1933, it has been estimated that 8,000 were Jews. Most of these physicians and surgeons were practitioners holding no official positions. Even after the War it was difficult for a Jewish medical man to get a post in the Army and Police Sanitary Corps, or in the civil service.

Jewish medical men were given relatively free opportunity in Berlin, the famous medical center, where the tendency was to appoint internes and members of hospital staffs on the basis of merit. As a rule, non-Jewish hospital authorities did not discriminate as between Jewish and non-Jewish candidates for appointment. This policy often led to the consequence that able medical graduates who were so anti-Jewish that they did not wish to associate with Jews, did not even apply for appointment to such hospitals. This explains why some, though very few, hospitals had a rather large percentage of Jewish physicians.

c. *Education*

The faculties in German universities had the right of nomination, and new members are elected on merit. Given the usual prejudices, a Jew had to have exceptional scientific attainments to become a university professor. Before the War, only baptized Jews were appointed.

Official figures are given for Prussia and Saxony in 1925. Of the 3,050 teachers listed, 125 were Jews, or 4.7%. Taking Germany as a whole, the percentage of Jews in the universities was even smaller. It is fair, therefore, to estimate that of the 4,958 university teachers in 1925, about 200 (4%) were Jews.

In the field of education as a whole, the 1925 census gave the number of higher officials under the category of "Public Worship, Education, and Instruction" as 21,700. Of these 270, or 1.3%, were Jews.

Reference has already been made to the fact that the vocations open to an educated Jew in Germany were few. The fact that of the forty German Nobel Prize winners eight were Jews (Ehrlich, Frank, Haber, Einstein, Wallach, Meyerhof, Warburg, and Willstaetter) and three (Heyse, Hertz and von Baeyer) were "non-Aryans" in the sense of Nazi legislation, must not obscure the fact that the average Jewish intellectual had a hard time getting into, and rising in, the educational world. It is not surprising, therefore, that a large number of educated Jews were to be found in the fields of law and medicine, in which a livelihood can be made by independent practice of the profession rather than through an appointive position.

In the universities also it was found that Jewish professors and instructors were principally in the departments of medicine and law.

Cultural Activities

a. *Theatre*

No statistics regarding this field have been published since 1925. According to the vocational census of that year, the percentage of Jews employed in the field of "Theatre and Music" was 2.4% or, in other words, of every 1,000 persons, 24 were Jews and 976, non-Jews. Experts estimate that of the 50 leading actors and actresses, 10 were Jews. The fame of Max Pallenberg, Fritz

Kortner, Ernst Deutsch, Elisabeth Bergner and Fritz Massary extended far beyond the frontiers of Germany.

Among those directors and artists who raised German theatrical standards to high levels, Jews were not inconspicuous. Max Reinhardt spread the fame of the German stage all over the world, Leopold Jessner caused a revival of the classicists, Barnowsky's Shakespearean presentations reached a high level. The Bishop of Salzburg selected Max Reinhardt to stage the mystery dramas on the Cathedral square in Salzburg.

b. *Motion Pictures*

By far, the leading organization for moving picture production is the enormous concern known as UFA, which is owned and controlled by Dr. Alfred Hugenberg, well known as the former leader of the German Nationalists and a member of the Cabinet of the National Concentration, which paved the way for the arrival of the Hitler regime. No other organization in this field, whether controlled by Jews or non-Jews, enjoyed an influence even remotely comparable with that of UFA.

Among those who established and spread the fame of the German moving picture are several Jews, of whom Ernest Lubitsch, Alexander Korda and Erich Pommer are the best known.

c. *Journalism*

The number of Jewish journalists in such literary centers such as Berlin, Frankfurt on the Main and a few other places was relatively considerable; elsewhere, however, their number was negligible. The reason for this is that they could do their creative work and make a living only in so-called liberal centers whereas in all smaller places conservative and reactionary elements were so predominant that living possibilities for Jewish writers were few. Germany never had what the anti-Semitic propaganda called a "Judenpresse" (Jewish Press). According to the Handbook of the German Daily Press there were, in 1932, out of the 4,703 German political newspapers, 1,266 conservative (i.e., in the older terminology, the party of the government and the party with semi-anti-Jewish trend), 603 Catholic, 378 of the Left, and 2,456 neutral. Obviously the conservative papers had Jewish editors only in exceptional cases; the Catholic papers, of course, had none. That the great majority of even the Left papers had no Jewish

editors, is indicated by the fact that even among the close to 400 papers of radical tendencies only 20 had Jewish editors. Out of the 85 most prominent German newspapers of that time, only 10 had Jewish editors-in-chief. On the other hand, the same Hugenberg who is mentioned above as the owner of the largest motion picture interests also controlled 27 of the greatest papers in the Reich and 150 provincial papers. But Hugenberg achieved less for the enhancement of German reputation abroad than did the Ullstein and Mosse concerns which were founded and conducted by Jews.

4. Politics and Government

Political Affiliations

There were without doubt more Jews in the parties of the Left (liberal) than in those of the Right (conservative), the principal reason being that the parties of the Right were always more or less anti-Jewish, reluctantly accepting Jews as members and rarely, if ever, offering them as candidates for office. Before the War, no Jew could get a post in the Government or the Civil Service unless he became a convert. Thus Jews with political interests were driven into the Left (liberal) parties.

Because of their predominantly bourgeois interests, Jews played no great part in the German Communist Party. Assuming that there were some 300,000 Jewish voters out of the native population of less than 600,000, their votes, divided among many parties, could have played no important part in the close to five million Communist votes that were cast. According to authentic figures given under the auspices of the present government (Kuerschner's *Volkshandbuch Deutscher Reichstag*, 1933), there was only one Jew among the 70 Communist deputies in the Reichstag of 1930, and not a single Jew among the 81 Communist deputies of the Reichstag of 1933.

Membership in Reichstag and Diet

Actual figures as to political influence are hard to give. According to the 1933 edition of Kuerschner's *Volkshandbuch Deutscher Reichstag*, 1933, a semi-official publication, issued after the elections of March 5, 1933, when the Nazis were already in office, there were in the Reichstag of 1930, out of a total of 576 deputies,

13 members of Jewish descent (11 Social-Democrats, 1 Communist, and 1 Democrat), and in the Reichstag of 1933 six deputies of Jewish descent (all Social-Democrats). The editor points out that these figures are not based on religious affiliations, but on the facts of origin, without taking into consideration the personal statements of the deputies themselves.

Government and Civil Service

Since 1919 there have been twenty cabinets in power in Germany. During these fourteen years, about two hundred and sixty men have held positions as cabinet ministers, and of these, seven were of Jewish descent: Preuss, Rathenau, Landsberg, Schiffer, Gradnauer, Dernburg, and Hilferding; and only two of these, Preuss and Rathenau, were of full Jewish parentage.

Only one Jew has been a minister in one of the State Governments during this period,—Hirsch of the first Prussian Ministry.

The 1925 census states that a total of 21,700 persons belonged to those engaged in occupations which came under the category of "Public Worship and Education." Of these, 270, or 1.3%, were Jews. In the Post Office and Customs Departments, in the Reichsbank and the German State Railways, very few Jews were ever employed. There were less than one per cent of Jews in the other branches of the various civil services.

5. Service in the World War

At least 96,000 of the 550,000 native German Jews were in the army in the World War, that is, 17.3% of the German-Jewish population, or every sixth German Jew. This is practically equal to the ratio of the total number of Germans in the army to the total population, which was roughly estimated at 12,500,000 out of 58,000,000.

Seventy-eight out of a hundred Jews in the army (that is, almost four-fifths) or about 80,000, were in the front line trenches.

Among the 96,000 Jews in the German Army, more than 10,000, or about 11 per cent., were volunteers.

More than 12,000 German Jews died for their country. This is 12.5 per cent, as against 13.5 per cent. for all German soldiers.

A total of 35,000 Jewish soldiers were decorated for bravery, 23,000 were promoted, and over 2,000 received commissions. This

is particularly remarkable, as before the war there were no Jewish officers in the German army, with the exception of a very few in Bavaria.

There were over 165 Jewish aviators at the front; 30 Jewish aces were killed in action.

Summary

Jews have lived in Germany since Roman times. Their history there, as elsewhere, has been a long and wretched one of ghettos, restrictions, and pogroms leading in the 18th and 19th centuries to humanitarian efforts for their emancipation and culminating in theoretical if not practical equality by 1919.

In Germany, the Jews constituted about one per cent of the total population, one seventh of their number being foreign-born. Because of historical factors and legal restrictions, the Jews had become an urban people, occupied in commerce, industry and finance for the most part, although not at all controlling or dominating any of these fields. Since the War, Jews have distinguished themselves in the legal professions and medicine; and their relatively high numbers in these fields are due to the educational and social system peculiar to Germany and certain intellectual aptitudes which historically have been rather well-developed among the Jews. Likewise Jews who became university professors or scientists, actors, journalists, or musicians gained their distinctions and positions because of special abilities and popular demand. In none of these fields, however, did the Jews exercise any but a German influence.

Politically the Jews were prominent in neither extreme parties—the Conservative, to which they were specifically unwelcome; or the Communist, because of their predominantly bourgeois interests. Very few Jews succeeded in obtaining positions of government service, from which, in fact, before the War they were excluded. However, the patriotism of the German Jews was unquestionable; and their response to the call to arms in 1914 was equal to that of their Christian fellow-citizens.

CHAPTER II

NAZI AGITATION AGAINST JEWS BEFORE 1933

1. The Nazi Program for the Destruction of the Jews

Many of the foregoing facts regarding the number, the nativity, distribution and economic status of the Jews in Germany have been, and continue to be, falsified and distorted by Nazi propagandists for the purpose of justifying the drastic measures against the Jews of Germany which were taken since March, 1933. These falsifications and distortions were also, in part, the basis of the agitation against Jews which was carried on by the Nazis from the time of the organization of their party in 1920, in order to win adherents to their ranks. The relegation of the Jews to an inferior economic, political and social status was one of the organic elements of the National Socialist program.

Anti-Jewish agitation is an old tune used by German leaders in former generations to strike up the band for a parade of nationalism. Based on scapegoat technique, it worked in the '70's and '80's during the crash following Germany's victory in the war with France. It flourished again in 1905 and 1906. Each time, the Jews were blamed for all German troubles. The masses were stirred up against Jews as in a war. When the crisis passed, Jew-baiting died down, but it never wholly disappeared.

Conditions in Germany following the World War were recognized by the organizers of the Nazi Party as favorable for a revival of anti-Jewish agitation, and they deliberately made anti-Semitism part of their program. "Anti-Semitism is in a way the foundation of the feeling underlying the whole movement," says Gottfried Feder, in the official exposition of Nazi Program (Dugdale translation, p. 26).

That anti-Semitism in Germany was originally not a spontaneous expression of the overwhelming majority of the German people is confirmed by Hitler himself. In his book "Mein Kampf", he says:

"In 1918, there was no such thing as systematic anti-Semitism. I still remember the difficulties which we met everywhere as soon as one mentioned the word 'Jew'.

Either people looked at you stupidly or one met with a violent response. Our first attempts to show the general public its true enemy, at that time, seemed to be almost futile and only very slowly things turned out for the better. . . . In the winter of 1918-19, however, something like anti-Semitism began slowly to take root. Later, it is true, the National Socialist movement pushed forward the Jewish question quite differently. This movement succeeded above all in raising this problem from the limited circle of higher or middle-class strata, and in transforming it into the driving power of a great popular movement." (Page 628, 102nd to 106th edition of the German version of "Mein Kampf", Eher Verlag, Munich, 1924¹.)

The Nazi party was founded in Munich in January, 1919. In July of that year, when Hitler joined, it had only seven members. In February, 1920, only a year after its foundation, the Party announced its program, of which anti-Semitism was an important part.

Following is a literal rendition of those parts of the program of the Nazi party which directly or indirectly refer to the Jews of Germany, as given in the authorized Dugdale translation (pp. 18-20).

4. None but members of the nation may be citizens of the State. None but those of German blood, whatever their creed, may be members of the nation. No Jew, therefore, may be a member of the nation.

5. Anyone who is not a citizen of the State may live in Germany only as a guest and must be regarded as being subject to foreign laws.

6. The right of voting on the State's government and legislation is to be enjoyed by the citizen of the State alone. We demand therefore that all official appointments, of whatever kind, whether in the Reich, in the country², or in the smaller localities, shall be granted to citizens of the State alone.

* * * * *

7. We demand that the State shall make it its first duty to promote the industry and livelihood of citizens of the State. If it is not possible to nourish the entire population

¹Except for a few words, this passage is omitted from the English version of the book, published in the United States.

²Mistranslation for "Laender" meaning "states."

of the State, foreign nationals (non-citizens of the State) must be excluded from the Reich.

8. All non-German immigration must be prevented. We demand that all non-Germans, who entered Germany subsequent to August 2nd, 1914, shall be required forthwith to depart from the Reich.

*

23. We demand legal warfare against conscious political lying and its dissemination in the Press. In order to facilitate creation of a German national Press we demand:

(a) that all editors of newspapers and their assistants, employing the German language, must be members of the nation;

(b) that special permission from the State shall be necessary before non-German newspapers may appear. These are not necessarily printed in the German language;

(c) that non-Germans shall be prohibited by law from participating financially in or influencing German newspapers, and that the penalty for contravention of the law shall be suppression of any such newspaper, and immediate deportation of the non-German concerned in it.

*

24. We demand liberty for all religious denominations in the State, so far as they are not a danger to it and do not militate against the moral feelings of the German race.

The Party, as such, stands for positive Christianity, but does not bind itself in the matter of creed to any particular confession. It combats the Jewish-materialist spirit within us and without us, and is convinced that our nation can only achieve permanent health from within on the principle:

2. Nazi Propaganda Methods

In their efforts to secure a following, the National Socialist Party (Nazis) carried on an increasingly widespread and intensive campaign throughout the land, by means of a far-flung net of periodicals which, at the height of their development, had an aggregate average circulation of over 10,000,000 copies daily, besides millions of pamphlets and broadsides. These often contained vile and obscene attacks against Jews. Supplementing this press agi-

tation were innumerable mass meetings in every city, town and hamlet in the land, coupled with street demonstrations, parades and rallies. In 1928 alone, a total of 20,000 mass meetings were held in Germany under the auspices of the National Socialist Party; the number was even greater in succeeding years. In the course of this agitation, leaders of the Party, several of whom hold high places in the present government, in speeches and writings, broadcast most shocking accusations against Jews in general and the Jews of Germany in particular, and uttered incendiary threats of physical violence, civil and political degradation, and economic repression which they would inaugurate when the Nazis would come into power.

By making anti-Semitism one of the cardinal principles of their movement, the Nazis forced all Jews, regardless of their political leanings, into the opposition. The natural efforts of the Jews to resist the spread of this agitation increased the virulence of the Nazi anti-Jewish drive.

The inflammatory speeches and newspaper incitations against Jews led to numerous sporadic street attacks against individual Jews, boycotts against them in many places, especially in towns in which Jews were few in number, to desecration of synagogues, and the profanation of cemeteries. From January, 1923, to September, 1932, no less than fifty synagogues were the object of vandal attacks, and a total of 128 Jewish cemeteries were desecrated. The most sensational street attack against Jews took place in Berlin on one of the solemn Jewish high holydays, the New Year, in September, 1931, just as worshippers were leaving the synagogues. Many persons, including non-Jews mistaken for Jews, were set upon and beaten, at least seven being severely hurt.

It was by such persistent, untiring, continuous, deliberate iteration and re-iteration that even many who were formerly not hostile to Jews came more and more under the hypnotic influence of the anti-Jewish slogans.

3. Anti-Jewish Propaganda Material

This program was supplemented by party pronouncements and instructions in which anti-Jewish hostility was preached. Nazi leaders and subalterns were taught to drum their messages of hatred into the minds of the German people by means of slogans,

songs, caricatures, speeches, billboard advertising, the breaking up of meetings held under democratic auspices, and the like. Thus, for a period of more than twelve years, Nazi agitators used every device to poison the German mind against the Jews. Notorious forgeries were exhumed, revived and widely circulated. All those persons, whether Jews or non-Jews, in any country of the world, who did or said anything that was not in accord with Nazi ideas, and persons who gained notoriety by reason of criminal acts were referred to by the Nazis as Jews. By all these means, the word "Jew" was made synonymous with everything the Germans resented and hated or could be led to resent or hate.

Following are a few samples of the many forgeries and libels employed by Nazi agitators in order to instigate Jew-baiting:

"The Elders of Zion"

Various versions of the so-called "Protocols of the Wise Elders of Zion" have been and continue to be extensively used to promote hatred against the Jews in Germany.

1. The "Protocols" were fabricated in Russia shortly before the revolution of 1905 and drew on an assortment of thoroughly discredited sources; they were published in order to further the Czaristic despotism by inflaming hatred against the Jews.

2. The second Russian edition, published in 1917 during the second Russian revolution presents the same fabrications as "Protocols of 24 Secret Meetings held for three days during the first Zionist Congress at Basel in 1897". The book alleges that this congress "had been called by the united Zionists and Free Masons."

3. When the distributors of this book in Germany were pressed for proofs, Count Reventlow admitted in court that he felt himself forced to withdraw his statements and expressed his regret for having spread them, and voluntarily paid all costs. (Proceedings before the Schoeffengericht Berlin-Mitte, April 19, 1923.)

4. The book was distributed in enormous numbers, despite the fact that it has been definitely proven to be a bold forgery. Translations have appeared in many languages. "The Protocols of Zion" are constantly quoted in innumerable writings and are being used as material against the Jews.

5. Conclusive proof of the falsity of the "Protocols" came from the London *Times* which had at first expressed belief in their possible authenticity.

When they first appeared in England in a volume entitled "The Jewish Peril," *The Times* of London published in the guise of a book review, a long editorial article in which it professed to see in "some features of the would-be Jewish program," an "uncanny resemblance to situations and events now developing under our eyes," and that "some of the passages assume the aspect of fulfilled prophecies unless one is inclined to attribute the prescience of the 'Elders of Zion' to the fact that they really are the hidden instigators of these events."

But it was *The Times* itself, which, in a series of articles contributed by its Constantinople correspondent and published on August 16, 17 and 18, 1921, incontrovertibly demonstrated that "The Protocols" consist in the main of "clumsy plagiarisms" from a French political pamphlet directed against Napoleon III, published in Brussels in 1865 by a French lawyer named Maurice Joly, and entitled "Dialogues in Hell between Machiavelli and Montesquieu." To use the language of a *Times* editorial "the author of the Protocols simply copied a number of passages in which Machiavelli is made to enunciate the doctrines and tactics of despotism as they were at that time practiced by Napoleon and put them into the mouth of an imaginary Jewish Elder."¹

"Ritual Murder"

Nazi propagandists frequently use an anti-Jewish slogan which has come down from the Middle Ages: "the Jews commit ritual murders in order to drink the blood of their victims."

It is interesting to note that the Romans accused the early Christians of exactly the same crime (Hermann L. Strack, "Das Blut im Glauben und Aberglauben der Menschheit," 8th edition, published by C. H. Beck, Munich 1911, pages 200-202).

In substantiation of these fantastic accusations against Jews, several ritual murder trials are cited, as the trials at Tisza Eszlar (1882), Xanten (1891), Konitz (1900) and Kiev (1911). But the Nazis failed to state that the Jews were completely vindicated

¹For a complete expose of the falsity of the "Protocols" see "The Truth About the Protocols of Zion" by Herman Bernstein (Covici Friede, New York).

in every case, and that the myth of the slaughter of Christian children was definitely exploded.

General Ludendorff, Quartermaster General of the German Army and associate of Hitler in the famous beer hall Putsch in Munich, November 10, 1923, stated in his famous proclamation in 1915 "To the Jews in Poland" during the World War: "Remember the Beilis trial¹ and the endeavors of the barbaric (Russian) government to spread the *terrible lies about Jewish blood sacrifices.*"

In the three "ritual murder" trials at Coburg, Cologne and Nuremberg in 1930 in which Nazi agitators and newspapers were defendants, the courts unanimously established that the stories of ritual murders committed by Jews were infamous fabrications. The court in Nuremberg on November 4, 1929 sentenced the Nazi agitators Streicher and Holz to three and a half months and two months, respectively, in the penitentiary for spreading these stories.

The ritual murder libel has also been condemned by Popes Innocent IV, Gregory X, Martin V, Nicholas V, Paul III, Clement XXIII and Clement XXV. "Popes and Jewish Ritual Murder", *The Catholic World* (July, 1934).

Mommsen's "Ferment of Decomposition"

For justification of their anti-Semitic tendencies anti-Semites often refer to prominent writers who, at some time in their lives, may have expressed an anti-Jewish attitude. Quite frequently, they misquote their source by incomplete versions of the text thereby giving a wrong and even a contrary interpretation of the real meaning of the authority they cite. Sometimes they continue to publish the misquotation even after the authority has protested against the misrepresentation of his words.

Such a case is the continuous repetition of the false statement that Theodore Mommsen, the universally recognized historian, had defamed the Jews by calling them a "ferment of decomposition." Hitler himself was reported in the American press as having also referred to these words in a speech on September 1, 1933, at the Nuremberg gathering of the National Socialist Party.

In his "Roman History" Mommsen uses the following sentence:

¹See Alexander B. Tager's "The Decay of Czarism—The Beiliss Trial" (Philadelphia, Jewish Publication Society of America, 1935) for an expose of this case, based on documents formerly in the secret archives of the Czarist government.

"Auch in der alten Welt war das Judentum ein wirksames Ferment des Kosmopolitismus und der Nationalen Dekomposition und insofern ein vorzugweise berechtigtes Mitglied in dem Caesarischen Staate dessen Politik doch eigentlich nichts als Weltbuergerium dessen Voelkstumlichkeit im Grunde nichts als Humanitaet war."

("In the old world too, Jewry was an active ferment of cosmopolitanism and national decomposition, and was for that reason a preferred full-fledged member in the Caesarian State whose politics in truth were nothing but cosmopolitanism, whose folkdom was essentially nothing but humanity.")

(See Mommsen "Roemische Geschichte," 7th Edition, 3rd Volume, page 459.)

Even in this form the sentence would not have much defamatory effect if the quotation in German would not generally end at the word "decomposition" or if the words "ferment of decomposition," words that are foreign to German, were not usually paraphrased in German as "Verwesungsferment" which means "ferment of decay."

In truth, what Mommsen wished to say was that the Jews, who had lost their independence and therefore had no nationality to rely upon, were the efficacious element to bring together and to cement other peoples and fractions of peoples into a homogeneous Roman Empire. America, especially, can grasp the meaning of this, since America is also desirous of cementing many and various groups into one homogeneous nation.

Not only was Mommsen never anti-Jewish, or anything that can be interpreted as such; he was, on the contrary, an ardent opponent of the anti-Semite, Stoecker. Mommsen was a member of the Union for Combating anti-Semitism, wrote favorable articles about the Jews, and, finally, when he learned that the above-mentioned quotation was used against the Jews, publicly explained that the meaning of this remark was just the reverse of that given to it by Jew-baiters.

Walter Rathenau's "Three Hundred"

In an article entitled "Our Coming Generation" (*Wiener Neue Freie Presse*, December 25, 1909), reprinted in his book "Criticism of Our Time" (S. Fischer, Berlin, 1912, p. 206), Walter Rathenau, famous industrialist, and a victim of nationalist assass-

sins who recently were publicly honored by the Nazi government, wrote:

"In the impersonal democratic field of economics . . . three hundred men, all of whom know one another, direct the economic destiny of Europe and choose their successors from among themselves."

This sentence is repeatedly used by anti-Jewish agitators as proof of the existence of an international Jewish capitalism and of Jewish plans for world domination. The sentence is quoted verbatim by anti-Jewish propagandists except that the word "Jews" is substituted for "men". (Otto Hauser, *History of Judaism*, Duncker, Weimar, 1921, p. 496, and Wilhelm Meister, "Juda's Book of Guilt," *Deutscher Volksverlag*, Munich, 1919, p. 197.)

The facts are:

1) In the entire article, Jews are neither mentioned nor referred to.

2) The Hitlerites deliberately distort the meaning of the sentence by substituting "Jews" for "men". Dr. Roesicke of the German Farmers Association changed it to "300 Jewish Bankers," and it has also taken the form of "the 300 Sages of Zion."

3) Rathenau himself stated in a letter of October 3, 1921, that he had intended to show the danger inherent in the fact that a handful of men controlled the entire economic life of Europe.

" . . . and it is probably the most dastardly occurrence in the history of forgeries that a man is made responsible for a phenomenon which he himself called to other people's attention. I do not have to mention specifically that in speaking of the 'three hundred' I had in mind the leaders of international business and certainly not Jews."

The Dawes and the Young Plans

Another charge of the Nazis is that the Jews are the sponsors of the Dawes Plan, which, they stated, meant the enslavement of Germany by a ring of international Jewish capitalists. In order to prove this, the Nazis stated that Germany's finances were controlled by the "Jewish" banking house of J. P. Morgan & Co. and that Morgan's name was originally Morgenstern.

(J. P. Morgan & Co. is not a Jewish firm; all the partners are Christians.)

The Morgan concern acted merely as a house of issue for the German 7 per cent. external loan and for the German Government 5½ per cent. loan.

Similarly the Nazis stated (for instance, in their Nuremberg newspaper *Der Stürmer*, 6th year, No. 1, January, 1928): "General Dawes. He is not a general. Neither is his name Dawes. His name is Davidsohn. He is a full-blooded Jew." Then follow a number of statements about General Dawes in such vile language and of such outrageously libelous nature that they cannot be quoted.

(The leading men on the Dawes Committee were not Jews. No Jews were employed in an executive capacity in the office of the Agent General for Reparations. None of the German Government offices dealing with the execution of the Dawes Plan employed any Jews.)

The Nazis constantly call the Young Plan "a Jewish machination," "a product of the Jewish spirit," and "an instrument of international Jewish capital."

(Among the fourteen chief delegates who drafted the Young Plan in Paris, there was not a single Jew.

The first conference at The Hague in August, 1929, was entirely dominated by Philip Snowden, then British Chancellor of the Exchequer.)

Henry Ford's "International Jew"

For years, "The International Jew," a collection of anti-Jewish articles which appeared from 1920 to 1922, in the *Dearborn Independent*, published by Henry Ford, American automobile manufacturer, has been used as one of their chief weapons by anti-Jewish agitators in many lands, but more especially in Germany.

When Mr. Ford convinced himself that his accusations against the Jews were without foundation, he withdrew the book from distribution. In a letter dated November 1, 1927, addressed to Louis Marshall of New York as President of the American Jewish Committee, Mr. Ford apologized to the Jewish people and emphatically retracted all the anti-Jewish statements made by him in the book. Ford also repudiated all foreign editions and translations.

In spite of these injunctions, new German editions are still being circulated against Ford's express orders.*

Socialism

The National Socialists call socialism "Jewish". At the same time they are trying to win the workers over by calling capitalism and everything capitalistic "a Jewish product".

It is one of the favorite arguments of the Hitlerites that the international tendency of Marxist socialism is "Jewish". On the other hand, they say that "international capitalism is nothing but a union of rich Jews in all the countries of the world." The two accusations are diametrically opposed to each other!

Bolshevism

The Hitlerites describe the Russian revolution as the work of the Jews.

*On November 1, 1927 Mr. Ford sent to Theodor Fritsch, publisher of the German edition of the International Jew, and to the Hammer-Verlag of Leipzig, the following letter:

"On June 30, 1927, I issued a statement regarding articles concerning the Jews which had appeared in the Dearborn Independent and some of which had been reprinted in pamphlet form under the title 'The International Jew.' Being satisfied that these publications were unwarranted and that consequently it was my duty as an honorable man to retract the charges against the Jews contained in these publications and to withdraw the publications from circulation, I gave this statement the fullest publicity, and took it for granted that my wish in this regard would be scrupulously observed. I am enclosing a correct and authorized copy of that statement. All of the copies of 'The International Jew' in the possession or under the control of the Dearborn Publishing Company have been destroyed at my instance.

I am informed through the public prints that you are still publishing and circulating these pamphlets in various European countries in a number of languages, using my name in connection therewith and asserting that the publication rights thereof have not been withdrawn.

In order that there may be no misunderstanding as to my wishes in this regard, you are accordingly notified that whatever rights you have or claim to have to publish 'The International Jew' anywhere or in any language whatsoever, are hereby revoked and terminated, and that the publication, sale or other distribution of 'The International Jew' and the use of the name of Henry Ford or of the Dearborn Publishing Company in connection therewith, by you or by any person or corporation claiming under you or acting by your authority as agent, licensee or otherwise, are hereby forbidden.

In acknowledging this letter will you kindly inform me of your assurance that you will in all respects acquiesce in this demand."

It was the Imperial German government which transported Lenin in 1917 in a private car from Switzerland through Germany to Russia. The German Encyclopedia of Political Science (4th Edition, Jena, 1929, Supplementary Volume, p. 200) states:

"Bolshevism is deeply anchored in the Russian's nature and in the politico-economic structure of the former Czarist empire. It would be an utter mistake to regard Bolshevism as a mere variation of the proletarian socialism of Marxian direction; such a conception has no understanding of the nationally conditioned and limited characteristics of bolshevism."

The official statistics of 1918 of the Communist Party showed 124,021 members in Petrograd, of whom 74.3% were Russians, 10.5% Latvians, 6.3% Poles, 3.7% Estonians, 2.6% Lithuanians, 2.6% Jews. Lenin was not a Jew. He came of a family of Russian nobility. Kalinin and Stalin are non-Jews. The official Catholic newspaper of Germany, *Germania* (No 5, January 5, 1932) stated:

"We wish to state with all possible emphasis that after thorough investigation we have arrived at the conclusion that all stories about a preferential treatment of the Jews in Russia are either the product of abysmal ignorance or of malicious spreading of false information."

Cultural Bolshevism

One of the Nazis' pet slogans is "Jewish cultural bolshevism." This term is used to describe a variety of modern trends, such as pacifism, chewing gum, nudism, Mickey Mouse dolls, experimental schools, jazz, efficiency experts, modernistic architecture, music, and drama, Emil Ludwig's biographies, companionate marriage, opposition to capital punishment, Einstein's relativity theory, etc.

Obviously, there is nothing specifically Jewish about these modernisms.

Talmudical Forgeries

The Hitlerites publish garbled translations of extracts from the Talmud claiming that Jews are permitted to practice anti-social acts. These translations can be traced to:

1. Justus. His real name was Aaron Brimann, a Roumanian Jew, baptized, first as a Protestant, later as a Catholic. In 1865, he was sentenced in Vienna to a long term in jail and expulsion from the country for forgery of documents. Professor Franz Delitzsch (Leipzig) who was the greatest German Christian expert in the field of Hebrew research calls Justus' work "a concoction of damnable lies."

2. August Rohling, Imperial Royal Austrian Professor. He became known through his book "Der Talmudjude". First published in 1871 this work was really virtually a copy of Eisenmenger's "Entdecktes Judentum". Rohling later became a fervid advocate also of the anti-Jewish blood accusation. Professor Dr. Theodor Noeldeke, a famous Christian authority on Semitic literature, calls his translations of the Talmud "an infamy". Professor Dr. Hermann L. Strack, another Christian scholar (at the University of Berlin) calls them "a rare mixture of ignorance, bigoted hatred and malice". When accused of many forgeries, Rohling publicly offered to take an oath on the accuracy of his statements. Thereupon, in 1892, the same Professor Strack wrote in the fourth edition of his book "The Jew and Human Sacrifice" as follows:

"I publicly accuse herewith the Imperial Royal Austrian Professor and Canon August Rohling of perjury and gross forgeries. I further publicly ask those who, after reading this book, protect the aforesaid Aug. Rohling, whether they are not making themselves guilty of aiding in the continuance of the aforesaid crime or delinquency. Finally, I declare that Aug. Rohling has given numerous proofs in his judgments on Jewish literature and Jewish religion of his disgraceful ignorance, and that he got the copious quotations from the Talmudic and Rabbinical literature which blind the lay mind, partly copied out of Eisenmenger's 'Entdecktes Judentum,' partly guided by others, especially by Aaron Brimann.—I am ready to establish this grave accusation in the presence of any Court of Justice."

In a subsequent court trial Rohling was unable to prove anything and his suit was dismissed.

3. Dr. Ecker (Muenster). He edited the forgeries of Justus as his own book! The dean of German Catholic theology Bickell calls this fabrication "a fraud of a half-educated industrial pirate."

4. The Nazi Race Dogma

The dissemination of these and other false and fantastic accusations was supplemented by the instigation of rioting and disorders, calculated to create the impression in the public mind that the existing Government was unable to maintain internal peace. In 1932, hardly a day passed without such disturbances in one or more parts of the Reich.

The result of these tactics was that the generally peaceful citizen became disgusted with these disorders and with the often ineffectual attempts of the Government to master the situation. Finally, saturated with the Nazi propaganda to which he was willy nilly exposed, he felt it as a relief to see that Party in power which alone could bring to an end the disorders which it had itself caused. The peaceful citizen was the more tempted to welcome the new regime because he was flattered by being included in the superior category of human beings to whom the Nazis had given the name "Aryans".

In order to bolster up their anti-Jewish campaign with a semblance of scientific authority, the Nazis adopted some odds and ends of racial theories expounded by various writers who, in order to substantiate their preconceived notions, had done violence to the discoveries of objective anthropologists and philologists.

These Nazi racial dogmas have been frequently repudiated by recognized authorities. Thus, on July 31, 1934, at the International Congress of Anthropology and Ethnology in London, England, Sir Grafton Elliot Smith, foremost British anthropologist, chairman of one of the Sections of the Congress, declared in his opening remarks:

"There is still some diversity of opinion as to the place where civilisation first originated, but we now have evidence to show that whether it happened in Egypt, Sumeria, India or elsewhere, in any case it was the work of members of the Mediterranean race of Sergi. . . . It is a matter of some importance to emphasise this fact at a time when distinctive qualities of mind and character are being attributed to the Nordic race and the so-called 'Aryan people.' Although the introduction of the latter term must be attributed to Professor Max Müller, it is important not to overlook the fact that in the face of intense criticism he was compelled to admit

that 'an ethnologist who speaks of Aryan race, Aryan blood, Aryan eyes and hair, is as great a sinner as a linguist who speaks of a dolicocephalic dictionary or a brachycephalic grammar.'¹ Those who insist upon the moral and intellectual qualities of the so-called 'Aryans' and talk about primitive Aryan culture should be reminded that it is more than doubtful whether the Aryans did invent a primitive culture in any other way than by borrowing from Babylonia.

"During the war, Professor Albert J. Carnoy, a distinguished Belgian scholar who was driven from his own country, and found in America the leisure and the opportunity for studying this question, summarized the results of his researches in two important memoirs—'Iranian Views of Origins in Connection with Similar Babylonian Beliefs,' and 'The Moral Deities of Iran and India and Their Origins,' in *The American Journal of Theology* in 1916 and 1917, which demonstrated that the so-called primitive Aryan culture was derived from Babylonia, was in fact due to Semitic influences, much in the same way as the Renaissance of Learning in Europe in the Middle Ages was the result of the intermediation of the Jews between Spain and the Greek world in the eastern Mediterranean.

"This further illustrates the fallacy of attributing cultural achievements and inherent mental aptitudes to different races, and the neglect of the ever-significant influence of the contacts of different peoples providing the stimulus to progress.

"At the beginning of his period of activity in linguistic studies Max Müller, who was pre-eminently a Sanskrit scholar and regarded the language of the ancient Indian Vedas as the most representative of the so-called Aryan group of languages, easily slid into the practice of speaking of an 'Aryan race' and at the same time referred to people like the Babylonians, who used a Semitic language, as Semites, thereby preparing the way for the antithesis between the people of Mesopotamia, that is, Semites, and the so-called Aryans, a tendency which has received such peculiar adoption in the present day by the use of the term Aryan in the sense of non-Jewish. When one thinks of the trenchant exposure of the Aryan fallacy by T. H. Huxley in 1890, it becomes an increasing matter of surprise that the facts of anthropology should be so flagrantly misused at the present time by applying the word 'Aryan' as equivalent

¹For the complete text of Müller's statement, see Reports of British Association, 1891, p. 787.

to non-Jewish. The chief duty of this section, however, is to put the facts of anthropology into their proper biological setting and to provide a strictly scientific foundation for such enquiries as are essentially the work of the other sections of the congress. In this task, however, we in this section are surely within our rights in criticising fallacies that come into flagrant conflict with the generally recognised teaching of anthropological science."

Notwithstanding the well-nigh unanimous objections of the scientific world, the Nazis have adopted as the designation of a "race" the term "Aryan," which is the name given by scientists to groups of languages. The Nazis continually preached the inferiority of those whom they arbitrarily classified as "non-Aryans" and whom they charged with responsibility for all the misfortunes of Germany and for all the ills of mankind. This dogma, which has since been incorporated in the law of the land, became one of the leading articles of the Nazi credo, and was, therefore, prominently emphasized in all their far-flung propaganda work. "Deutschland Erwache! Juda Verrecke!" (Germany Awake! Death to Jews!) was the most frequently used slogan of the Nazi party.

Summary

Modern anti-Semitism in Germany was manufactured or at least stirred into flame by the Nazis in a campaign dating from 1920. It is an integral part of the Party Program, and was implemented by the dissemination of inflammatory literature and forged documents identifying the Jew with murder, exploitation, degradation, schemes for world domination, the Dawes and Young Plans, Socialism, and Bolshevism. This farrago of lies was given pseudo-scientific rationalization in the Nazi race dogma of "Aryan" superiority over "non-Aryan" or Jews. All reputable scientists and anthropologists, of course, reject this doctrine.

CHAPTER III

ANTI-JEWISH MEASURES UNDER THE NAZIS

1. Outbreaks of Violence

After the appointment, on January 30, 1933, of Adolf Hitler, leader of the Nazis, as Chancellor of the Reich, and with him of other representatives of the Party to the Government, and especially after the sweeping victory of the National Socialists at the elections on March 5, 1933, the acts of violence, referred to in the preceding chapter, increased but took on a quite different character. Under the preceding Government, there was at least a semblance of an effort to quell disorders, and a certain number of flagrant acts were legally prosecuted. The advent of the new regime appears to have been regarded by many Nazi extremists as a signal for carrying out the threats which had been dinned into their consciousness by their press and their agitators during the thirteen propaganda years. The perpetrators appeared to be confident that their deeds had the tacit approval of their leaders,—if not more than that.

Incitements to Violence

Indeed, these outbreaks were openly encouraged by some of the Nazi government officials. Thus, on March 10, 1933, Hermann Wilhelm Goering, then Minister of the Interior of Prussia declared:

"The Police are not a defense squad for Jewish stores . . . They tell me I must call out the police to protect them (the Jews). Certainly, I shall employ the police, and without mercy, wherever German people are hurt, but I refuse to turn the police into a guard for Jewish stores. . . . The nation is aroused. For years past we told the people: 'You can settle accounts with the traitors.' We stand by our word. Accounts are being settled."

Similarly, on March 20, 1933, Chief of Police Himmler, of Munich, stated:

"As I interpret the spirit of the people of this city, I know that at the first shot, no matter whether it hit its mark [Hitler] or not, such a fury would overcome most of the people that we should witness a massacre and pogrom

such as the world has never seen, and no force of police would be able to stop the murdering" (*Voelkischer Beobachter*, Munich, March 21, 1933).

Another example of ruthless incitement was the following warning published in a prominent newspaper:

"At the slightest attempt to harm our leader, we shall take bloody revenge on those whom we Nazis must consider to be the cause of our suffering and misery.

"Should a shot be fired at our beloved leader, all Jews in Germany would immediately be put against the wall, and bloodshed would result which in its ghastliness will exceed anything the world has ever seen!"

(*Leipziger Tageszeitung*, March 21, 1933.)

Official Corroboration of Reports of Outbreaks

Much has been said and written about the so-called "atrocities campaign" against Germany since the Nazis came into power. Repeatedly, German Government officials, organizations, private individuals and propagandists have made general denials or minimized the occurrence of violence. It was denied in particular that any acts of violence against the Jews had taken place. However, the German Government authorities themselves have made a number of admissions, though of course these admissions are made in very reluctant and guarded form. For instance, the fact that such acts of violence did occur is indicated in the opening paragraphs of Chancellor Hitler's rescript to his followers (March 12, 1933):

"Unscrupulous individuals, especially Communist stool-pigeons, are endeavoring to compromise our party through isolated actions that have no connection with the great achievement of national rising and can only burden and disparage the accomplishments of the movement."

Further corroboration can be found in the telegram dispatched by the Hon. Cordell Hull, Secretary of State of the United States, to the President of the American Jewish Committee on March 26, 1933:

"You will remember that at the time of your recent call at the Department I informed you that in view of numerous

press statements indicating wide-spread mistreatment of the Jews in Germany I would request the American Embassy at Berlin in consultation with the principal consulates in Germany to investigate the situation, and submit a report. A reply has now been received indicating that whereas there was for a short time considerable physical mistreatment of Jews, this phase may be considered virtually terminated. There was also some picketing of Jewish merchandising stores and instances of professional discrimination. These manifestations are viewed with serious concern by the German Government. Hitler in his capacity as leader of the Nazi party issued an order calling upon his followers to maintain law and order to avoid molesting foreigners, disrupting trade and to avoid the creation of possible embarrassing international incidents. Later von Papen delivered a speech in Breslau in which he not only reiterated Hitler's appeals for discipline but adjured the victors of the last elections not to spoil their triumph by unworthy acts of revenge and violence which could only bring discredit upon the new regime in foreign countries. . . . "

In "The Jews in Nazi Germany", published by this Committee in 1933, is given not only a selection of the more significant reports from the leading newspapers of Great Britain and the United States, but also extracts from personal letters received by individuals in this country, known to this Committee, from reliable persons who were in Germany during these occurrences.

That outbreaks of violence have not altogether ceased is indicated by the fact that, in spite of the press censorship within Germany, such outbreaks are occasionally reported by foreign newspaper correspondents.

Suppression of Reports of Outbreaks

The Nazi leaders attempt to discredit *all* reports of acts of violence, no matter how reliable their source, by likening them to the reports of alleged German atrocities during the World War, many of which were subsequently proved false. This comparison, however, is fallacious and invalid because the alleged acts of violence in 1933 were foreshadowed by years of incitement, because many of the surviving victims of these acts were able to flee the country, especially before the exit visa requirement of

April 1, whereas it was practically impossible for the surviving victims of World War atrocities to break through the battle lines, and because, during the World War, there were no objective reporters within the German lines, whereas, in 1933, most of the reports which reached the outside world came from highly reputable correspondents of foreign newspapers of unquestionable reputation for veracity and objectivity. (See "The Jews in Nazi Germany", first edition, page 20.)

In this connection, it is interesting to recall that when, in 1919, during the sessions of the Peace Conference, anti-Jewish outbreaks in Poland were reported, Polish leaders welcomed an investigation on the spot, and consented to the dispatch to Poland of an American and a British commission of inquiry. The Nazi government, on the other hand, did not only refrain from making any such offer, but on the contrary, itself gave ground for disbelief in its official denials abroad of any untoward events by exercising a rigid censorship of its own press, and taking other measures for the suppression of reports of occurrences which were considered unfavorable to the regime.

Such a measure was the promulgation on March 21, 1933, of a decree, Paragraph 3 of which reads as follows:

(1) Whoever deliberately makes or spreads a false or grossly exaggerated statement of factual nature that may seriously harm the welfare of the Reich or of one of the States, or injure the prestige of the Reich Government or of one of the State Governments, or of the parties or associations backing the Government, is . . . liable to a punishment of up to two years' imprisonment, and if he publicly makes or spreads that statement of not less than three months' imprisonment.*

(Decree of the President of the Reich in Defense of Treacherous Attacks Against the Government of the National Revolution, *Reichsgesetzblatt* No. 24, of the 21st of March, 1933.)

On April 1, 1933, The Minister of the Interior promulgated a decree (*Reichsgesetzblatt* No. 31) providing temporarily for exit visas for German citizens desiring to go abroad. (On December 19, this requirement was repealed as of December 31, 1933.)

*In the first case, a *maximum* punishment is prescribed; in the second case, a *minimum* penalty is provided.

On the basis of this rule, a Prussian ordinance was promulgated on April 3, 1933, providing that such visas may be refused "if facts justify the presumption that the traveler:

- (a) will be active in a way derogatory to the interests of the Reich or of one of the German States;
 - (b) will abuse or make despicable the President of the Reich, the members of the Reich Government or of a State Government, or other organs, establishments or authorities of the Reich or of a German State;
 - (c) will spread abroad false rumors that may endanger vital interests of the Reich, or of a German State;
 - (d) will violate the provisions of the international money exchange;
 - (e) will evade the payment of taxes."
- (*Ministerialblatt*, Vol. I. p. 407.)

2. Ousting of Officials and Professional Men

The victory of the National Socialists at the elections on March 5, 1933, was a signal not only for the epidemic of physical outrages already referred to, but also for the arbitrary and violent ousting of all persons who had been identified with the opposition to the National Socialists, including all Jews, from public offices to which they had been legally appointed, admitted, or elected. These ousters were gleefully announced in the *Voelkischer Beobachter* and the other Nazi papers in a manner which showed no consciousness of the illegal, arbitrary, and shameful character of these expulsions.

Numerous examples of such ousters and of other acts of repression are given on pages 10-13 of "The Jews in Nazi Germany," published by this Committee in 1933. A few additional examples, taken from official sources are given below:

The Courts of Koenigsberg Occupied by Storm-Troopers

As a counter-measure to the atrocity-propaganda against the German people, for the purpose of restoring clean, incorruptible administration of justice, and last but not least, for the purpose of protecting Jewish citizens against possible outbreaks on the part of the population which is greatly aroused on account of the atrocity propaganda, S. A. divisions have occupied today the Superior Court at Koenigsberg, Prussia, as well as the district and county court.

Members of the Jewish race are forbidden to enter these buildings. In order to avoid a discontinuity of the administration of justice, some lawyers of the Jewish race as to whom it can be proved that they fought in the first ranks of the front lines during the War, will be permitted by the S. A., on the basis of special proofs of identity, to enter the court buildings, and at the same time to settle the case of the members of their race.

—*Völkischer Beobachter*, April 1, 1933.

German Teachers for German Children

✓ The State-commissioner for the Berlin Board of Education decreed that, until further notice, all teachers who have Jewish blood in their veins be immediately dismissed from all schools of Berlin.

—*Völkischer Beobachter*, April 3, 1933.

Decree of the 1st of April, 1933, Regarding the Exercises of the Vocation of Notary

"Maintenance of public order and security will be exposed to serious danger if Germans are still liable to be served with documents in legal proceedings which have been drawn up or certified by Jewish notaries. I accordingly ask that Jewish notaries be urgently advised in their own interests to refrain, until further notice, from exercising their calling.

"In this connection the attention of notaries should be drawn to the fact that, should they refuse to comply with this recommendation, they will expose themselves to serious dangers in view of the excited state of public opinion. Notaries should be recommended to inform the competent presidents of provincial courts that they will refrain from exercising their calling pending the issue of further regulations regarding conditions applying to notaries."

Kerrl,

REICH COMMISSIONER, PRUSSIAN
MINISTRY OF JUSTICE.

(*Deutscher Reichsanzeiger und Preussischer Staatsanzeiger*)

None but German Physicians for the Patients of Berlin Social Service

At the beginning of the boycott movement against the foreign atrocity propaganda on the 1st of April, the State Commissioner, Dr. Klein, caused all Jewish physicians of the Social Service of the city of Berlin to be removed from service and be replaced by physicians of German stock.

Seventy-two National Socialist physicians have taken upon themselves this extremely difficult service as a matter of honor. National Socialist physicians are also gratuitously at the disposal of the dispensaries of the National Health Service and especially at the disposal of the hospitals.

—*Völkischer Beobachter*, April 3, 1933.

Removal of the Jews from the Fields of Justice and Administration

A conference with State-Ministers of Justice will be held on Friday in the Reich-Ministry of Justice for the purpose of preparing a uniform regulation concerning the appearance and admission of Jewish lawyers to the courts.

The Reich Commissioner for Baden, in order to appease the population and in the interest of the Jews of Baden, has ordered that all members of the Jewish race be removed at once until further notice, from the Civil Service, from state plants, communes and enterprises of communes and from all bodies of a public nature, as well as from private schools.

—*Völkischer Beobachter*, April 7, 1933.

The following report indicates that, even before the promulgation of the anti-Jewish restrictive laws, authorities had forbidden Jewish lawyers to enter court buildings; judges, attorneys, and local prosecutors had been removed from office; and Jewish judges, attorneys and local prosecutors had been forbidden to deal with cases involving criminal law. The last prohibition is still in force.

The Commissarial State Minister of Justice has issued the following orders:

"The order forbidding non-Aryan lawyers to enter the court buildings is declared invalid, effective immediately, as to those lawyers, who were engaged in the profession of lawyer continuously before the 1st of August 1914, or who fought at the front for Germany or her Allies during the World War, or whose fathers or sons have been killed in action during the World War. But this does not apply to persons who have displayed communistic tendencies.

The commissioned presidents of the bar association in cooperation with the presidents of the superior courts must officially examine, as far as it is possible, whether those applying for readmission to the court possess the necessary requirements. For the rest the petitioners must prove the presuppositions for readmissions.

The lawyers who are hereafter permitted to enter the court buildings must prove their identity by a permit issued

by the President of the Superior Court and countersigned by the commissioned President of the Bar Association."

* * *

For the execution of Par. 3 of the Law for the Restoration of the Professional Civil Service of the 7th of April 1933 and without prejudice to the possibilities provided for in Par. 4 to 6 of this law, the following instructions are issued:

The removal of judges, state attorneys and prosecutors of Jewish descent is declared invalid in as far as these officials had been duly appointed Civil Servants before the 1st of August 1914.

As far as judges, attorneys and local prosecutors are concerned, whose removal had not yet been rescinded, it must at once be reliably established—especially on the basis of military documents—whether they fought at the front for the German Reich or its Allies during the World War, or whether their fathers or sons were killed in action in the Great War.

The order, that judges of Jewish descent may no longer be entrusted with handling the administration of criminal law and of disciplinary jurisdiction, and that attorneys as well as local prosecutors of Jewish descent may no longer act as public prosecutors in court sessions, stands.

—*Völkischer Beobachter*, April 12, 1933.

Acts of this kind were soon given the sanction of legality by the promulgation of a series of decrees, unprecedented in modern times. This legislation is recorded and analyzed in Chapter IV.

3. The Anti-Jewish Boycott of April 1, 1933

The elimination of Jews from the business life of the country was preached, and National Socialists had organized boycotts to this end, long before 1933. These boycotts incited by the slogan "*Kauft nicht beim Juden*" (Don't buy from the Jew), had in many cases resulted in a sharp decline of the Jewish population in the smaller cities and a resulting increase in the already high concentration of Jews in the larger urban centers. The elimination of Jews from public service and the liberal professions is expressly promised in Point 6 of the Nazi program, and the elimination of Jews

from economic life is implied in other parts of the program, for instance in Points 7, 17 and 23.

Records show that boycotting was already in effect before there was any outburst of indignation in foreign countries, which was later on given as an excuse for the boycott. Thus, a decree of the Ministry of the Interior of Thuringia, dated March 2, 1933, declares:

"In the future, state contracts are to be placed exclusively with the old undertakings of the good old middle class."

On March 10, department stores owned by Jews in Kassel and Essen were boycotted by Storm Troopers, bearing placards reading: "Germans, do not buy in Jewish shops." Even in Berlin, demonstrations against department stores took place. Referring to these boycott activities, Hermann Wilhelm Goering, then Prussian Minister of the Interior, declared in a speech at Essen, on March 10:

"When they say that the population is in great excitement because Jewish department stores were temporarily closed, is it not natural that we, Germans, at last declare: 'Do not buy from the Jews but from the Germans!'"

On March 21, 1933, Minister Goering declared to a representative of the *Telegraaf* of Amsterdam:

"It is true that the department stores were attacked. I am certainly opposed to force being used in actions against these undertakings, but I do not see why it should not be permissible to warn people against buying in Jewish department stores."

The universal indignation aroused in foreign countries by indisputable and officially corroborated reports of outrages, which was expressed in various forms, was exploited by the Nazis as a pretext for justifying a wholesale country-wide boycott against the Jews of Germany.

On March 28, 1933, the *Völkischer Beobachter* published a report that on the preceding day the National Socialist Party headquarters had decided "to launch in the sharpest manner a defensive battle against the international Jewish atrocity and boycott agitation against Germany." This was to be done through

the organization of a tremendous popular movement and the establishment of committees for the boycotting of Jewish businesses in Germany. On the following day, the *Völkischer Beobachter* and other press organs published a manifesto of the National Socialist Party, officially proclaiming a nation-wide boycott of business conducted by Jews and Jewish professional men, to begin on April 1. It is significant that Julius Streicher, the editor of *Der Stürmer* of Nuremberg, who had for years been the most ardent advocate of a comprehensive boycott of Jews, was appointed Chairman of the Boycott Committee.

This punitive campaign against the Jews of Germany, in which they were virtually made hostages for what the National Socialists regarded as the offensive conduct of the public opinion of all civilized countries, was defended by the obviously false charge that the Jews of Germany were responsible for the demonstrations of protest abroad. In the manifesto of the party leadership announcing the boycott published in the *Völkischer Beobachter* on March 29, the following statement appears:

"The guilty ones are among us; they live among us and abuse day after day the right of hospitality which the German people have granted to them. . . . Responsible for these lies and slanders are the Jews among us. From them emanates this campaign of hatred and of lying agitation against Germany. In their hands lies the power to set right the liars in the rest of the world. Since they do not wish to do this, we will have to see to it that this campaign of hatred and lies against Germany is not directed against the innocent German people, but against the responsible inciters themselves."

The same manifesto concludes with the following instructions for carrying the boycott into effect:

(1) "In every local branch and unit of the N.S.D.A.P.,* Committees of Action must be appointed immediately to carry out a systematically planned boycott of Jewish business, Jewish doctors and Jewish lawyers. The Committees of Action are responsible that the boycott does not

*N.S.D.A.P. are the initials of the full name of the National Socialist Party, viz., National-Sozialistische Deutsche Arbeiter Partei.

affect any innocent persons, but hits so much harder the guilty ones.

(2) "The Committees of Action are responsible for the most careful protection of all foreigners without regard to confession, origin or race. The boycott is a purely defensive measure which is directed solely against German Jewry.

(3) "The Committees of Action must immediately popularize the boycott by propaganda and enlightenment. Its keynote is, that no good German will now buy from a Jew, nor will he accept offers of goods from a Jew or his puppets.

(4) "In doubtful cases, boycotting of the concerns in question may be dispensed with until the Central Committee in Munich can take a definite decision. Party Comrade Streicher is appointed chairman of the boycott committee.

(5) "The Committees of Action must watch the newspapers closely and observe how strongly they participate in the campaign of enlightenment of the German people against Jewish atrocity agitation abroad. Papers which do not participate or do so only to a limited extent are to be immediately removed from every home in which Germans live. No German and no German business shall give advertising to such papers. They must fall into public contempt.

(6) "The Committee of Action, in cooperation with the Work Cells organization of the party, must carry enlightenment into the factories as to the effects of the Jewish atrocity agitation to German work and therefore to German workers. In particular, the workers must be enlightened as to the necessity for a national boycott as a defensive measure to protect German labor.

(7) "The Committees of Action must penetrate into the smallest villages in order particularly to strike at Jewish traders in the country. It must always be explained that this action has been forced upon us as a defensive measure.

(8) "The boycott is not to start in a scattered fashion but must begin at one stroke, and all preparations are now to be toward this end. Orders will be issued to the Storm Troopers to warn the people, through pickets, from entering Jewish shops from the moment the boycott begins. The start of the boycott will be announced by placards, by the press, by handbills, etc. The boycott will begin on the stroke of 10 a.m., on Saturday, April 1. It will continue until an order of the party executive decrees its end.

(9) "The Committees of Action shall immediately organize tens of thousands of mass meetings which shall reach into the tiniest hamlets and which shall demand the introduction of a quota system for Jews in all professions. In order to intensify the effect of this action, these demands shall be confined for the present to the following three categories: (a) Attendance at German middle and higher schools (colleges); (b) Doctors; and (c) Lawyers.

(10) "The Committees of Action have the further task of seeing to it that every German who has any connections whatsoever in foreign countries shall make use of them to spread the truth in letters, telegrams and telephone messages: that peace and order prevail in Germany, that the German people has no more ardent wish than to pursue its work in peace and to live in peace with the rest of the world and that it is conducting its struggle against Jewish atrocity agitation as a purely defensive battle.

(11) "The Committees of Action are responsible that the entire struggle be conducted in complete peace and strictest discipline. As before, not a hair on any Jewish head shall be touched. We will cope with this agitation only by means of the decisive pressure of these measures."

The Party proclamation was supplemented on March 30, 1933, by "Proclamation of the Defense Committee of the NSDAP" signed by Julius Streicher, the editor of *Der Stuermer*, who it will be recalled had been appointed chairman of the Boycott Committee of the Party.

1. The leaders of the local committees for the defense against the Jewish agitation and atrocity propaganda are to be appointed immediately by the respective authorities of the Political Organization. It is advisable to appoint the district leaders of the Fighting League of the professional middle-class as leaders of the district committees, since that N. S. organization, owing to its character, commands the material and experience required for the organization of the defense action. Of course, considerations of personal suitability of the appointee remain untouched.

2. The committees of action (whose members must have no ties whatever with Jews) shall ascertain immediately which shops, department stores, offices, etc., are in Jewish hands.

3. This of course concerns enterprises which are in the hands of members of the *Jewish race*. Note that the religion is immaterial. Business men who were converted to Catholicism or Protestantism, or dissenters, of *Jewish race*, are also Jews in the sense of this decree.

4. Firms in which Jews are interested only financially will be subject to regulations yet to be enacted.

5. If the husband of a non-Jewish proprietress is Jewish, then the enterprise is considered Jewish. The same applies when the proprietress is a Jewess and the husband a non-Jew.

6. Shops with uniform prices, department stores, chain-stores which are in German hands do not fall under this boycott action. The "Woolworth" uniform-price stores are also exempt. This firm is American and non-Jewish besides. The so-called "Wohlwert" uniform-price stores, however, are Jewish and therefore to be boycotted.

7. The committees of action shall hand the lists of the enterprises ascertained to be Jewish to the SA and SS so that these can post the pickets on Saturday morning, April 1st, at 10 o'clock sharp.

8. The guards are to inform the public that the *picketed enterprise is Jewish*. They have to warn them against buying in the particular shop. Forcible measures are *prohibited*. It is also *forbidden* to close the shops, break shop-windows, or cause other material damages.

9. To make Jewish shops recognizable, posters or placards are to be fixed to the front doors showing *a yellow spot on black ground*.

10. Dismissals of non-Jewish employees and workers by the boycotted Jewish shops are *not* permitted; notice may *not* be given. Where this has already happened, the NSBO, in co-operation with the SA, has to arrange for reinstatement.

11. On Friday evening, March 31st, 1933, the committees of action, in co-operation with the political leaders, will hold great mass-demonstrations and parades in all places. On this occasion banners are to be carried, bearing the following inscriptions:

a. "For the Defense Against the Jewish atrocity and boycott agitation!"

b. "Boycott all Jewish shops, beginning tomorrow morning at 10 o'clock!"

In the larger cities meetings are to be held in as many public places as possible.

12. On Saturday morning, at 10 o'clock at the latest, the posters with the boycott proclamation must be fixed to all hoardings in cities and villages. At the same time, posters with the following inscriptions, in the order given, have to be carried through the streets on motor-trucks or, still better, moving vans:

"For the defense against the Jewish atrocity and boycott agitation!"

"Boycott all Jewish shops!"

"Don't buy in Jewish department stores!"

"Don't consult Jewish lawyers!"

"Avoid Jewish physicians!"

"The Jews are our misfortune!"

13. For the financing of this defensive action the committees shall organize a fund-raising campaign among the German business men.

14. In addition, the committees for the defense against the Jewish atrocity and boycott agitation are subjected to the decrees of the Reichs administration of the NSDAP.

—*Völkischer Beobachter*, Munich, March 30, 1933.

These proclamations from the boycott headquarters were widely imitated throughout the country. For instance, outside and inside of court buildings in Berlin were posted placards reading as follows:

International Jewry has, by its shameless atrocity propaganda against the German people, proven that the Jews constitute one unified people scattered throughout the world, and do not shrink from any crime to exploit and destroy their host countries.

Therefore: Throw out the Jewish destroyers of our people—from the Courts too!

German National Comrades, do not permit the Jewish law-corrupters to fool you any longer! Do not go any longer to the Jew!

Make it a rule to reject every Jewish lawyer and Judge, because, on account of their immeasurable hatred against

the true German national feeling, they are incapable and unworthy of acting in a judicial capacity in Germany!

Out with the Jewish law perverters!

Point out to the still sleeping citizens the demands of the New Germany!

While sailing under the flag of the National Socialist Party, the boycott was officially recognized and approved by the Government. This is evidenced by a statement of Chancellor Hitler himself, who declared that the boycott was necessary in order to prevent the anti-Jewish movement from assuming "undesirable forms" which would be prevented by organization. On March 31, 1933, three days after the proclamation of the boycott, Minister Paul Joseph Goebbels announced to the representatives of the foreign press:

"It is with satisfaction that the Government has noticed that the atrocity agitation abroad is abating. The Government sees in this fact a success of the boycott announcement of the National Socialist movement during the past days. But, furthermore, it sees also that the united Jewry in Germany has the possibility absolutely to restrict and to stop this atrocity agitation.

"It is convinced that the atrocity propaganda has passed its peak. Therefore, the National Socialist Party has resolved: Under these circumstances the boycott of tomorrow will be carried out with full power and hardest discipline. It begins, as announced, at 10 o'clock and will be suspended tomorrow evening. The suspension will continue until Wednesday morning at 10 o'clock. If by Wednesday morning, 10 o'clock, the atrocity agitation abroad will be absolutely stopped, the National Socialist Party declares its readiness to restore normal conditions.

"If this, however, is not the case, the boycott will be resumed on Wednesday at 10 o'clock; but then with an impetus and vehemence hitherto unheard of, until the wire-pullers of the foreign atrocity agitation will have thought better of it. Fundamentally the Government of the Reich expects the following results from the execution of the boycott tomorrow: The boycott will be carried out, by the organizations concerned, with a most rigid discipline and without the violation of any law. Nobody will be physically endangered by this boycott. The organizations which carried out the boycott have to assume the responsibility that by the boycott no innocent person will be affected.

"No banks will be closed, because otherwise there could be a disturbance of financial transactions. . . ."

—*Völkischer Beobachter*, April 1, 1933.

The fact that, although protests abroad did not by any means cease, the boycott was not officially resumed after April 1, indicates that Minister Goebbels' announcement marked a retreat of the Nazi Party and the Government from a position which it could not continue to hold without irreparable injury to Germany's reputation abroad. It will be noted that the original announcement of the boycott contains no intimation whatever that it was to be for a short time only, certainly not that it was to be for one day. On the contrary, the instructions which called for the establishment of boycott committees in every city, town, and hamlet of Germany, and other intensive and extensive measures, indicate beyond a doubt that it was the original intention of the National Socialists to continue the boycott indefinitely. In fact, the official suspension did not bring about the end of the anti-Jewish boycott. Despite denials, intended for consumption abroad, it has been going on ever since, stimulated by the propaganda of petty Nazi chieftains.¹ The boycott which began on April 1 accomplished the object which was intended. This was, in the language of the *Völkischer Beobachter* (April 3, 1933), to bring about "the humiliation of the Jews of Germany."

4. Continuation of Anti-Jewish Propaganda

Efforts to bring about "the humiliation of the Jews of Germany" did not stop with the boycott agitation. The anti-Jewish propaganda of the years 1920 to 1932, whose deadly effectiveness had been so vividly demonstrated by the events which followed Hitler's accession to power, was followed by another and more violent wave of propaganda which now acquired new force because it became an unopposed, officially approved movement, supported by all the resources of the government. It appears clear that the continuation and intensification of the anti-Jewish propaganda, which had until 1933 been an instrument for swelling the ranks of the National Socialists with a view to winning for them the con-

¹See pages 105-108, below.

trol of the country, was considered necessary for two purposes: first, to reconcile public opinion at home to the drastic measures to be taken to carry out the Nazi program for the degradation of the Jews, and second, to justify these measures to outraged public opinion abroad.

Another motive for carrying the propaganda abroad was the ardor of some Nazi elements to extend their system to foreign countries, especially those having populations of German origin.

Official Propaganda at Home

a. *The "Aryan" Decrees*

At home, the anti-Jewish agitation was official and unofficial. The laws for the elimination of "non-Aryans," *i.e.*, all persons of Jewish birth or descent, from the professional and cultural life of the country, constituted a most potent instrument of humiliation. The official declaration of the government that "non-Aryans" were unfit to be civil servants, judges, lawyers, physicians, editors, actors, and the like was found to have and did have the effect of setting these "non-Aryans" apart as outcasts. This effect was shown in such incidents as the refusal of witnesses to answer the questions of Jewish lawyers, actions brought for the annulment of marriages with "non-Aryans," the refusal of students to enroll for and attend lectures by Jewish professors, the mistreatment of Jewish children in the public schools, as well as the more violent manifestations of physical attacks and boycotting.

b. *Official Pronouncements*

Besides the laws themselves, the occasional explanations of the Ministers in elucidation of these laws were often incitements to hatred. An example of such an explanation is the statement on February 7, 1934 by Dr. Paul Joseph Goebbels, Minister of Enlightenment and Propaganda, and President of the Reich Chamber of Culture, to the presidents and the councillors of the various branches of Chamber. Minister Goebbels said:

With astonishment I have ascertained that the Jews who have gradually been eliminated from other professions, are looking for a new possibility of taking an active part in cultural life due to the fact that there is no Aryan clause here. There is no direct legal possibility to introduce an

Aryan Clause in the Reich-Chamber of Culture and its branches. But it must not happen that in the end all Jews, who have been eliminated from Civil Service and the professions of lawyer, physician and editor, gradually appear in cultural professions. The law gives us the possibility to prevent this.

—*Völkischer Beobachter*, February 9, 1934.

Another illustration of official anti-Jewish agitation is given in the following report:

According to the official Prussian Press Service, the Prussian Minister for Science, Art and Education has pointed out in a circular to the libraries of universities, colleges and academies that Jewish or Marxist literature of scientific libraries may not be confiscated or destroyed. Lending of this sort of literature, however, must be strictly supervised. Such books may only be lent if the borrower proves that he needs them for serious scientific work. The Prussian Minister of the Interior also issued similar instructions to the Communes and Unions of Communes concerning their scientific libraries.

—*Völkischer Beobachter*, July 27, 1933.

Another illustration is the following statement by Dr. K. Deutschmann, Chairman of the Committee for the Selection of Jewish Lawyers, appointed by the Government:

"We are absolutely opposed even to permitting the Jews a participation in the professions to the extent of their proportion to the total population; they should be kept away especially from the professions of physician and lawyer because by means of their peculiar 'intellectual weapons,' like fraud, persuasiveness, etc., they will again—even if restricted to the percentage basis—procure for themselves a much higher degree of influence than the one to which they would be proportionally entitled and because they would find ways to circumvent the percentage basis. Let us remember the tens of thousands of unemployed German lawyers who cannot marry, who cannot bring children into the world but are supposed to wait until the 'old Jewish veterans' have completed their lives of extravagance and have amassed riches in addition to what they have already stolen from the German people and taken across the borders."

To such statements as that of Dr. Deutschmann may be traced the fact that in some of the subsequent legislation no exceptions

were made in favor even of Jews who had fought at the front during the World War or had lost father or son in that conflict.

On August 16, 1934, Rudolf Hess, the deputy of Hitler as Leader of the National Socialist Party issued an ordinance reading as follows:

Party members, according to various reports do not show the necessary reserve towards the Jews.

Irrespective of the position and the opportunities granted the Jews in Germany through the law, I forbid all party members:

- (1) The pleading of Jews in behalf of party members before the court etc. against party members.
- (2) The pleading for Jews with authorities of the State, etc.
- (3) The issuing of any certificates for Jews.
- (4) The acceptance of money from Jews for party funds.
- (5) The intercourse with Jews in public, in cafes, etc.
- (6) The wearing of party signs during the hours that party members work as employes in Jewish concerns.

The party had to suffer huge sacrifices in its struggle against the hegemony of the Jewish destructive spirit in Germany, and it must condemn it as shameful, that at a time when millions of German Nationals are still living in misery, party members plead for those who have caused untold misery for our German people.

Transgressions of this ordinance will be punished by the party court.

Rudolf Hess

—*Aschaffener Zeitung*, Sept. 3, 1934.

c. *Annulment of Mixed Marriages.*

"Non-Aryans" are also branded as inferior in judicial decisions. An illustration is the opinion of the Court of Appeals of Karlsruhe that suit may be brought for annulment by an "Aryan" on the ground that his or her spouse is "non-Aryan". Although this decision was later reversed by the Supreme Court, yet it is interesting to read the report of this decision in the *Völkischer Beobachter* of March 7, 1934, where it appeared under the headlines: "A Landmark in the History of German Jurisprudence—Aryan-Jewish Marriage Contestable—Fundamental Decision of the Court of Appeals of Karlsruhe."

The National Socialist revolution has spread and furthered the understanding of the essence and importance of race to such an extent, that Germans, who had married members of the Jewish race before the National Socialist revolution because of ignorance of the importance of race, now attempt to contest the marriage and to have it declared null and void because they would not have contracted the marriage if they had understood the essence and importance of race for the marriage itself and for the German nation.

Heretofore, such divorce suits have been rejected by the courts.

But now the Court of Appeals of Karlsruhe is the first higher German court to permit the contestation of an Aryan-Jewish inter-marriage due to ignorance of the essence and importance of race. The court has fully supported its decision (Aktenzeichen: II ZBR 208/33).

This decision is truly a landmark in the history of German jurisprudence. For the first time, it establishes the racial theory in the marriage law and it proves that the courts could help to bring about the victory of the National Socialists if they would properly apply the law.

In explaining its decision, the Court of Appeals at Karlsruhe emphasizes that the Aryan laws of the year 1933 do not give a clue as to how the problems should be decided. It argues that the membership of a race, *i.e.* the descent of a person with regard to blood and nation, is the basis of his personality, no matter whether in the individual case the specific racial characteristics show themselves to a greater or a lesser extent.

This understanding compared to the former one has become much more far-reaching, much deeper and clearer.

"It has now been established," the decision goes on, "that the Jewish race is something quite different from the Aryan race in regard to blood, character, personality and outlook on life, and that a connection and mating with a member of this race is not only not desirable for the member of the Aryan race but destructive, unnatural and contrary to nature. It brings the Aryan as an individual, especially in his capacity of a folk-comrade, into danger of becoming estranged from his nation, and beyond that, of begetting children of a different species. The contrast of races, as it has now been established, is so radical, that from now on it will hardly lead to a marriage between Aryans and non-Aryans."

For these reasons the Court of Appeals at Karlsruhe has started from the supposition that the complainant would not have concluded the marriage if he had known the true

state of affairs. Therefore, there exists a basis for contestation on the ground of error. (Par. 133, BGB.)

According to a Berlin dispatch to *The New York Times*, published in that newspaper on May 21, 1934, the State Court of Breslau annulled a marriage, contracted seven years ago, on the plea of the "Aryan" husband that he was unaware at the time that his bride had Jewish blood. In its decision, the court declared:

"Personality is founded in a certain degree on blood and race. Miscegenation between members of Aryan and non-Aryan races produces hybrid offspring."

This decision and others of the same tendency were foreshadowed by legislative proposals of National Socialists during the days of the old republic. Thus, on March 13, 1930, a bill was introduced in the Reichstag including the following paragraph:

A person, who by intercourse with persons of Jewish descent, fosters deterioration of the race and brings about decomposition of the German people, or intends to do so, will be sentenced to penal servitude for race betrayal (*Rasseverrat.*) (Cited in *Juristische Wochenschrift*, 1933, p. 2040.)

d. *Custody of Children of Divorced Parents*

Just how far the poisonous breath of this racial theory has penetrated even into the minds of Germans holding high judicial positions is most strikingly shown by two cases where the welfare of children was concerned:

On May 14, 1934, the Landgericht (State Court), Berlin, rendered a decision regarding the custody of children of a non-Jewish couple, who had been divorced several years before. The husband had been declared the guilty party and the custody of the children had, therefore, been given to the wife. Years later, the mother married a second time, the second husband being a Hungarian Jew, D—. Now, the father, who admittedly had done nothing for the children in the meantime, applied to the Court to deprive the mother of the custody of the children, arguing that the physical and mental welfare of the children was endangered by the fact that the stepfather was a Jew. Nothing unfavorable could be said about the person of the stepfather, and it was admitted that the children were very much attached to the mother and wished to remain with her.

Despite all this, the Court transferred the children to their father, giving as the reason

"that the German country needs every girl and every boy of German origin. . . . It would be unavoidable that the non-Aryan environment of the D—— household as well as the relation and friendship of this D—— would unfavorably affect the children."

Juristische Wochenschrift, 1934, p. 1516.

A similar problem was involved in a decision of the Bayrisches Oberstes Landesgericht (Supreme Court of Bavaria) of October 3, 1934, reported in *Juristische Wochenschrift* 1935, Page 136:

A non-Jewish father, who had one child by a first marriage, married a Jewish woman. The municipal German Youth Welfare Department petitioned the Court to have the child taken away from the father, although nothing unfavorable was charged against the character of the Jewish wife, and although the child herself felt quite attached to her. It was claimed that "a person who, having sufficient knowledge of the Jewish question, married a Jewess, acts *contra bonos mores* and thereby endangers spiritually the welfare of the Aryan child of the first marriage."

Although it did not grant the petition, the Court admitted that by marrying a Jewess the person was acting *contra bonos mores*, and that children of a mixed marriage were an undesirable addition to the German population.

e. *Other Judicial Decisions*

The same trend is noticeable also in other decisions of the courts in cases involving Jews. Following are a few typical illustrations taken from *Die Juristische Wochenschrift* (The Weekly Law Journal), the most important German legal periodical, for whose international fame, incidentally, much credit is due to former well-known Jewish lawyers. Since the beginning of the Nazi regime, this periodical has been completely brought into line with the Nazi idea.

A Jew, who had been appointed by a court as official referee for the administration of an estate (*Zwangsverwalter*), was dismissed because he was a Jew, although there was no law prohibiting Jews from serving as referees. In upholding the dismissal, in a decision rendered on October 5, 1933, the Landgericht, Berlin, referred to the preva-

lent widespread antagonism to Jews which "made it seem inadvisable to retain a Jew in office, even in the absence of a special law to this effect." (*Juristische Wochenschrift*, 1933, p. 1275.)

A similar case involved the right of a Jew to represent a group of employers before a labor court, in the absence of any law to the contrary. In denying the right, in a decision rendered on June 20, 1933, the *Arbeitsgericht* (Labor Court), Berlin, stated that service by a Jew in this capacity could not be permitted because it could not have been the intention of the law-enacting body that such representative should be in a better position than the average Jewish lawyer. (*Juristische Wochenschrift*, 1933, p. 1794.)

On July 27, 1933, the *Landes-Arbeitsgericht* (Superior Labor Court) affirmed the decision of the lower court by pointing out that a revolutionary legislature naturally leaves loopholes which ought to be filled by the Court in applying the principles of the National Socialist *Weltanschauung* (view of life). (*Juristische Wochenschrift*, 1933, p. 2788.)

On November 17, 1933, the *Landgericht*, Berlin, in upholding the validity of the immediate termination of a contract, without notice, concerning the employment of a Jew as estate manager, declared: "It is the intention of the present government to restrict and even expunge the Jewish influence, particularly in all branches of cultural life." (*Juristische Wochenschrift*, 1933, p. 2919.)

In another decision, involving a Jew as executor of a will, the *Landgericht*, Berlin, on October 9, 1933, declared: "It is the first fundamental principle of the new law to expel all persons of an alien race from public offices and functions such as the office of an Executor of a Will, who has to rule upon the weal and woe of German men." (*Juristische Wochenschrift*, 1933, p. 2406.)

On November 10, 1933, the *Landgericht*, Berlin, upheld a defendant who refused to have his case tried before a Jewish judge, on the alleged ground that the Jews exercise a damaging influence on the German people. The Court declared that this belief of a German citizen would justify the rejection of a Jewish judge in a given case. (*Juristische Wochenschrift*, 1933, p. 442). Such a rejection was also upheld by the *Kammergericht* (Court of Appeals), Berlin, in a decision rendered on March 5, 1934, stating that a German party to a litigation may justly claim that it is contrary to his National Socialist *Weltanschauung* to have his rights adjudicated by a Jewish judge. (*Juristische Wochenschrift*, 1934, p. 1178.)

Following is an abstract of a description of a case as reported in the *Frankfurter Zeitung* of March 12, 1935:

A Jewess, who had been for seven years employed as buyer by a firm in Wiesbaden, was given notice at the beginning of July 1934 of dismissal at the end of that year, because the firm had received a communication from the district leadership of the National Socialist party, which said:

"We are unable to continue to be your customer, we are as well no longer in the position to advise our Party comrades and the members of our groups to buy from a firm which still employs Jews. We are therefore compelled, for the protection of our Party comrades, to take the necessary measures if you are not willing to draw the consequences in respect of your Jewish employee."

The dismissed employee, who was the sole support of a 71 years old father and of a brother who had been disabled during the World War, brought action against the firm, on the ground that there was no law requiring the dismissal of Jews from business employment and that in view of repeated orders against interference in the affairs of private business, issued by various government ministries, the National Socialist District group had no right to demand her dismissal.

The Labor Court at Wiesbaden rejected her complaint, stating that her dismissal was not against any law, because it was made by the firm as a matter of protection against loss of business.

The State Labor Court in Frankfurt, to whom the woman appealed from the decision of the lower court, also dismissed the complaint, stating that although the dismissal from employment on the ground that the employee is a Jew is against the law, yet, in the present case, the dismissal is made for business reasons, and is therefore not unethical. The Court went on to say that standards of right and wrong are undergoing a change at present among right-thinking Germans, and that the National Socialist *Weltanschauung* has become authoritative; as a result, the majority of the German people do not consider it wrong, at the present time, for an "Aryan" firm to dismiss a Jewish employee and thus make room for an unemployed "Aryan". Even if the defendant had protested to the government against the interference of the District National Socialist group, action on the protest would have taken a considerable time during which the defendant would have suffered

heavy losses; and even if the protest had succeeded, no authorities could have prevented Party members from boycotting the business of the defendant.

f. "Coordination"

The anti-Jewish laws and decrees also served as an example to the country, which was followed by the coordination (*Gleichschaltung*) of the by-laws of private organizations with the statutes of the State. "Non-Aryan descent," in the sense of the Law for the Restoration of the Professional Civil Service, was made a bar to membership in all kinds of professional, cultural, scientific, athletic, and social organizations and also to participation in the direction of large business enterprises.

An illustration of such "coordination" is the following announcement in the *Juristische Wochenschrift* of August 5, 1933:

"The *Juristische Wochenschrift*, as the organ of the German Bar Association, a constituent of the League of National Socialist German Jurists, can publish contributions only from persons who are Aryans. Books written by non-Aryans or published by non-Aryan publishing houses will not be reviewed; advertisements regarding such books will not be accepted for the advertising section.

It is obvious that the *Juristische Wochenschrift* publishes only such articles as, and gives space only to those writers who, unconditionally adhere to the platform based on the National Socialist *Weltanschauung* (viewpoint).

Following is an illustration of the manner in which the government's example has been imitated in business circles:

In future, books by Jewish authors written in Germany or abroad, will not be published in Germany. This action was decided upon at a meeting of the "Boersen-Verein der deutschen Buchhaendler (Association of German Booksellers*). A resolution adopted at the meeting states that "in view of the fact that German booksellers were always in the foremost ranks of the German cause, the Verein now unanimously decides to join the National front without any opposition."

—*Berliner Tageblatt*, May 12, 1933.

*This Association includes all book publishing and selling firms.

The co-ordination movement also penetrated into the field of religion, taking the form of a movement for the establishment of a national German Church. At a meeting held at Rengsdorf in October, 1933, which was convened by Bishop Oberheid of the Rhineland, and attended by clergy and laymen of the district, a series of theses was adopted, including the following:

"There is no such thing as 'universal Christianity.' Christendom in itself is an abstraction devoid of all reality. For the German there can only be a Christianity rooted in the people." (*Die Bekenntnisse des Jahres 1933*, by Professor D. K. Dietrich Schmidt, p. 91.)

The movement for the establishment of a German national Church includes, besides others, proposals for the rejection of the Old Testament as of equal value with the New Testament, and also the application of the "Aryan paragraph" to membership in the Church. Thus, one of the theses of the Peoples' Church of Saxony concerning the reconstruction of the German Evangelical Church declares:

"The Old Testament is not equal in value to the New Testament. The specific Jewish morality and national religion are antiquated. The Old Testament remains important because it reveals the history and decline of a people, which in spite of God's revelation repeatedly forsook Him." (*Ibid.* p. 99-100.)

At a meeting of "German Christians" which took place at the Sportpalast in Berlin on November 13, 1933, a resolution was adopted, including the following paragraphs:

"We expect from our National Church that it should enforce immediately and without modification the Aryan paragraph—in compliance with the Church law decided upon by the General Synod—and that it should form separate congregations for the Evangelical Christians of alien blood and promote the foundation of a Jewish Christian Church."

"We expect from our National Church, which is a German People's Church, that it should free itself from all that is non-German in divine service and confession, especially of the Old Testament and its Jewish morality of rewards." (*Ibid.*, p. 134.)

The "Guiding Principles" of the Faith Movement (German People's Church) include the following:

"The Church is, without reservation, subject to the same laws of life as the State: Service for our people is divine service. Only Germans of Aryan descent who do not belong to a Freemason's Lodge, can belong to it." (*Ibid.*, p. 135.)

This movement for the reorganization of the Christian religion on a Nationalist, "Aryan" basis, has met, and is meeting, with vigorous opposition.

g. Humiliation in Educational Circles

The humiliation of the Jews is perhaps most poignantly felt in the schools. The boycott agitation in the last days of March, 1933, which was carried on throughout the length and breadth of Germany, was one of the first government acts to penetrate the elementary schools and cause the "non-Aryan" children to be set apart and degraded in the eyes of the "Aryan" schoolmates.

Then came the student "enlightenment" campaign announced in the *Völkischer Beobachter* of April 22, 1933. The head office for press and propaganda of the Deutsche Studentenschaft (German Student Body) called upon all German students to cooperate in conducting a campaign of enlightenment which included twelve theses which had previously been posted at the University of Berlin. The translation of some of these theses follow:

"4. Our most dangerous antagonists are the Jews and their satellites.

"5. The Jew can speak only Jewish. Whenever he writes in German he lies. A German writing German but thinking un-German is a traitor.

"7. We must regard the Jew as alien and we must take our national being seriously. We therefore demand censorship to see to it that Jewish writings appear in Hebrew. When they are printed in German they are to be designated as translations. Emphatic measures shall be taken against the abuse of German script and type; these are for the use of Germans only. The un-German spirit shall be extirpated from the public libraries.

"10. We demand . . . the will and ability to overcome Jewish intellectualism and the phenomena of liberal degeneration associated therewith."

This announcement also suggested the public burning of "un-German" books on May 10, as part of the campaign of enlightenment.

On May 14, 1933, the following announcement appeared in the *Völkischer Beobachter* under the title "German Instructors for German Universities":

"The Student Body of the University of Berlin has ordered the students neither to enroll for, nor to attend, lectures delivered by Jewish instructors."

Several weeks earlier (April 25, 1933), the Law Against Overcrowding of German Universities, Colleges and Schools with its provision for proportional enrollment of "non-Aryans" had been promulgated, another public act of humiliation for all Jews, but especially for those in the field of education.

Added to this was a fundamental change in the content and spirit of school instruction. A new subject has been introduced—"racial science"—a basic principle of which is the inferiority of the Jews. And, according to the Nazi version of the history of the past twenty years, Germany defended herself heroically against the whole world, but German Jews and Marxists betrayed the Fatherland, which was given a new birth and dignity by the patriotic efforts of the Nazis.

Following are extracts from an outline of history teaching for younger children in "Aufbruch der Nation" (The Awakening of the Nation) by von Fikenschner, which is being used as a text-book in Bavarian schools with the approval of Schemm, the Nazi Minister of Education:

"The returning soldiers did not find work immediately so they began to loaf about. Many Jews and many foreigners collected together: hooligans, criminals and bandits. One had the impression that all the prisons had been opened and that all the prisoners had been let loose. One could recognize them from a distance. They carried dirty red flags, red armlets, red badges . . ." (page 10).

"How they drove out the rulers of the country and how they put Jews into their place; how they imprisoned and shot down decent people; how they stole and plundered" (page 10).

"Here a few words about inflation-swindlers and Jewish profiteers" (page 14).

"What a good time the foreigners (Eastern Jews) had; how they bought German land!" (page 16).

"What does Chancellor Hitler want? He wants to lock up the Godless Communists. He wants to drive out the Jews. . . . He wants an army again. He wants to make the German people powerful again" (page 18).

"*Horst Wessel*.—He was betrayed by his landlady to the Communists. They came (16 men!) and shot him down. When a Jewish doctor was called, he refused his aid" (page 22).

"*Adolf Hitler, our Leader*.—

"To Adolf Hitler our Leader we extend our hand,
Brother, forward to the last struggle for the Fatherland.
Away with the Jews and the traitors,
Freedom or Death.
To Adolf Hitler we pledge ourselves,
Faithful unto Death," (page 24).

The new trend in civic education in the professional and technical schools is described in the following report in the official *Völkischer Beobachter*:

The Prussian Minister for Economy and Labor issued some time ago new regulations concerning civic education and instruction in the professional and technical schools. For the execution of this ordinance the Minister has now sent a list of some important subjects to the subordinate authorities in order to give instructions to the school principals as to the proper choice of the subjects to be taught.

The Minister lists ten points from which the subjects follow that are to be dealt with in civic instruction. Such subjects are the coming of the new time, and, within this scope, among other things, the World War and the experience at the front, the struggle of the N.S.D.A.P. [National Socialist Party] for liberty, the war of extermination against Marxism and Liberalism, further, the new structure of the family and nation on a racial basis, in this connection also the Jewish question. . . .

—*Völkischer Beobachter*, March 6, 1934.

The same anti-Jewish trend in the education of the youth is evidenced in the following extracts from the catechism prepared especially for the Hitler Jugend, an organization comparable in some respects to the Boy Scouts of America. Each

boy belonging to the Hitler Jugend is obliged to memorize nineteen questions and their answers. Among these are the following:

10. Q. What is the difference between the National Socialist and the Fascist?
A. The National Socialist is an anti-Semite—thus a Jew-hater. The Fascist is not. The external difference lies already in the insignia. The National Socialist wears a symbol of Creative Work—the Fascist carries a Lictor bundle of rods, the symbol of primitive force.
12. Q. Why are we Jew-Haters?
A. The Jew is the scourge of humanity, the worm which eats up the nation and brings about its collapse.
13. Q. Which are the three main weapons of the Jews?
A. The Secret Cells and the Free Masons: International Press: International Marxism and Capitalism.
14. Q. Which was the first attempt to create a Jewish World Empire?
A. The Russian Revolution, 1917.

Unofficial Propaganda at Home

a. *Newspapers*

The unofficial propaganda against the Jews of Germany, that is, propaganda carried on by the Nazi Party as distinguished from the government, follows the same lines as the agitation prosecuted before the present regime. Since the Nazi Party now controls the country, it has at its disposal the facilities of the government, especially the radio. Moreover, whereas before February 1933, the Nazi press was only a part, albeit an important part, of the German press, now the entire press is under the control of the Nazi Minister for Propaganda and Enlightenment and must do his bidding. The tone and tendency of the entire press is, therefore, naturally anti-Jewish, although in varying degrees. The rabidly anti-Jewish newspapers of former years continued their attacks, but much more brazenly because Jew-baiting is an official government policy. The most "patriotic" in this sense is the Nuremberg sheet, *Der Stürmer*, edited by Streicher, whose paper

continues to surpass all others in the obscenity and vileness of its contents and tone.

For a time, even the government appeared to be ashamed of this publication, for its circulation abroad was forbidden and it was possible to procure copies only indirectly from private persons in Germany. Apparently the attitude of the government has changed, for *Der Stürmer* can now be procured anywhere in Germany and is being freely imported to the United States. Appeals for subscriptions to *Der Stürmer* were ostentatiously printed in the New York Nazi organ *Das Neue Deutschland*. Streicher was appointed State Commissioner of Bavaria and in January 1935, Hitler made a special trip to Nuremberg to congratulate him on his fiftieth birthday.

b. *Anti-Jewish Books*

The victory of the Nazis was a signal for the multiplication of anti-Jewish books and pamphlets and for the publication of new editions of some of the old publications. In an appendix to this chapter (pp. 64-66, below), we cite from recent catalogues and book lists a few typical titles, with accompanying descriptive comment.

Propaganda Abroad

Nazi utterances for foreign consumption consisted at first of denials of the untoward events which followed the Nazi victory and insistence that reports of such events were "atrocious propaganda" similar to that of the World War. In this connection, Paragraph 10 of the instructions which accompanied the boycott manifesto of March 28, 1933 is pertinent:

"The Committees of Action have the further task of seeing to it that every German who has any connections whatsoever in foreign countries shall make use of them to spread the truth in letters, telegrams and telephone messages: that peace and order prevail in Germany, that the German people has no more ardent wish than to pursue its work in peace and to live in peace with the rest of the world and that it is conducting its struggle against Jewish atrocity agitation as a purely defensive battle."

This instruction explains the flood of cablegrams and even transatlantic telephone messages which came to the United States from Germany during the last few days of March 1933.

Following the failure of this line of attack, propaganda agencies of the Nazi Party began the export of huge quantities of "literature" in various languages. These handbills, leaflets and pamphlets were distributed by mail or left in street cars and other public conveyances, or in railway stations, restaurants, and similar places of public resort, or between the leaves of books in public libraries. Much of this "literature" came from the Fichte-Bund (Fichte Association) of Hamburg, Germany, or from its branches, of which there was one in New York. The "releases" of the Fichte-Bund constitute the source material for most of the pro-Nazi speakers in the United States. Many of the allegations in these publications were distortions of the truth, most of the others were outright falsehoods. But, they were adopted and disseminated by Nazi sympathizers in this country.

Although many of these assertions have been proved false by events which showed clearly that all these and other "charges" were merely pretexts for justifying the sacrifice on the altar of a fanatical race theory of hundreds of thousands of human beings, of whom the vast majority were entirely innocent of wrong-doing, apologists for the Nazi regime continue to disseminate these falsehoods. There is a melancholy significance in the fact that these apologists consider that to justify the great wrong being perpetrated against the Jews of Germany it suffices to assert that there were "too many" Jewish lawyers, physicians, college professors, authors, journalists, actors, etc., confidently expecting that the public would overlook the facts that most of these Jews were as much German as any non-Jews in Germany, and that they became physicians, lawyers, college professors, authors, journalists, actors, etc., fairly, in open competition and in spite of the fact that their descent was often an extra hurdle to be surmounted by them.

In an appendix to this chapter are extracts from a "lecture" delivered last year in Cincinnati, Ohio, and many other cities by "Doug" Brinkley, an American, who was formerly a newspaper reporter and a radio news commentator. They are typical of the mixture of inconsequential facts, of distortions, and untruths which constitute the "defense" of the Nazi Jew-baiting policy. They are taken from a verbatim report published on April 18, 1934, in English, in the *Cincinnati Freie Presse* (Cincinnati Free Press), a German-language newspaper. In a parallel column, are given the actual facts. (See pp. 67-72. below.)

Similar "explanations" come frequently, from other "lecturers" in many parts of the country, and also from official representatives of the German Government from the Ambassador down to consuls in various cities.

In this connection the following news item may be of interest. It is taken from the *Völkischer Beobachter* of August 19, 1933:

The leader of the N.S.D.St.B. (National Socialist League of German Students) issues the following order:

(1) All comrades of the National Socialist League of German Students who are about to attend a foreign university during the winter semester 1933-34, must inform the leader of the foreign department of the N.S.D.St.B., Dr. von Leers, Berlin-Steglitz, Hohenzollern Street No. 6, of their intention. After arriving at the foreign university they must likewise inform the leader of the foreign department of the N.S.D.St.B. of their address abroad. The aim of this measure is to better inform the comrades abroad of the German situation, in order to give them the opportunity to enlighten the foreign country.

(2) All comrades of the N.S.D.St.B. staying abroad must for the same purpose send their addresses.

With "Hail Hitler",
DR. STÄBEL.

There is abundant evidence that Nazi ideas, including Jew-hatred, are being systematically propagated in the United States, where residents of German birth and stock are being organized on the same quasi-military lines as the Nazi organization in Germany. (See *Today* of March 31, April 7, and April 14, 1934 and the Report of the Congressional Committee for the Investigation of Nazi and Other Propaganda of February 15, 1935, Report No. 153).

APPENDIX 1

List of Recent German Books

Following is a translation of titles and descriptions of anti-Jewish books, taken from recent catalogues and book lists, referred to on page 61, above.

Biblical Anti-Semitism. By Pastor Karl Gerecke.

Judah's Book of Sin. A German Reckoning. By Wilhelm Meister (State Secretary Dr. Bang). 50th Thousand.

"The principal work of anti-Semitism must be in every National Socialist library.

The Talmud of Economics: The Young Plan as the Tool of the Super-National Secret League of Nations of Finance. By Dr. A. Pfaff.

Biarritz, Historical Political Novel. By Sir John Retcliffe (Hermann O. F. Goedsche).¹ Unabridged Popular Edition, 2 Vols.

Immorality in the Talmud. With an Introduction by A. Rosenberg. 20th Thousand.

"Judah itself places in our hands the sharpest weapons against Judaism. One only has to read this wonderfully arranged selection from the Jewish compendium and book of confessions in order to understand that there must always be war on the part of the Aryans against the Jews."

The Protocols of the Sages of Zion and Jewish World Politics. In the setting of Alfred Rosenberg. Newly revised. 20th Thousand.

"The work gives everybody the opportunity of learning the secret war plans of International Jewry. The entirely new edition gives a great number of proofs, up to the Zionist Congress at Prague, September, 1913. The stirring documents will open the eyes even of the most deluded, and will contribute their share towards, once and for all, settling the disastrous role of Judah in the life of the nations."

¹Hermann Goedsche (1815-1878), an employee in the postal service, implicated in a notorious forgery which forced him to leave the service in 1849. Thereafter, he became a writer of simulated historical romances under the pseudonym "Sir John Retcliffe", because of the existence, at that time, of a well-known British diplomat of a similar name (Retcliffe). In Goedsche's romance "Biarritz" there is a chapter describing a meeting of representatives of the "Twelve Tribes" at the cemetery in Prague, which, it is stated, takes place every hundred years. This highly fantastic piece of fiction is believed by some authorities to have been the basis of the so-called Protocols of the Wise Elders of Zion.

The Unmasked Friends of the Jews. Spiritual Drill Book for Aryan Orators and Critical Listeners. By Rudolf Wiedemeyer.

Judaism and the Leadership Principle of the Mission of National Socialism. By Wilhelm Müller-Walbaum.

"The author clearly points out the difference between Judaism and the leadership principle in this work, and describes how Hitler's way to the people at the same time means the ethnic separation from all foreign racial ties."

The Jew as Race Defiler. By Dr. Kurt Plischke.

"Again a book against the Jews. Is that necessary? the Philistine and the secret adherent of the past Jew-Republic will ask. Indeed, dear Philistine and friend of the Jews, this book is necessary, it is even indispensable. The vast masses of our people must be enlightened as to the racial question and the racial disgrace, if the regeneration of our people is to succeed."

The Handbook of the Jewish Question. By Theodor Fritsch (145th Thousand).

"You, too, must build upon this foundation of the nationalistic movement.

"An enemy can be defeated only if his power and way of fighting are known. This was clearly foreseen by the old nationalistic champion, Theodor Fritsch, in his fight against Judah, and so, half a century ago he began to investigate the Jewish question, and to elucidate it so effectively that it may be considered solved at present. . . . It is a compendium which is not surpassed in its importance, because the true understanding of the Jewish question is the cornerstone of all historical knowledge."

The International Jew. By Henry Ford (110th Thousand).¹

"Facts about the Jewish program of world rule; spiritual, political and economic subjugation of the nations.

"The work of the American industrialist Henry Ford is one of the most convincing books on the Jewish question. It is convincing because the author collected in it factual material of elementary conclusiveness. The Jewish program of world rule is its main theme."

The False God. By Theodor Fritsch (38th Thousand).

"The moral ideal of a people is rooted in its religion. This law is destructive for us Nordics, since our pure and sublime conception of God finds itself in a perpetual, ruinous fight with a creed essentially foreign to us. Judah will forever be triumphant if we do not understand that Jahve-Jehovah, the Jewish God of malice and lying, has nothing in common with the Heavenly Father of Jesus Christ. The peoples create their gods according to their own images: The Jahve cult of the Old Testament is the deification of Jewish greed, egotism in the form of a religion, which is bound to destroy the Germans. Study the "False God" in order to recognize the crudeness and baseness of the Jewish creed, and the shameless forgeries in the old Testament."

¹See footnote on page 25 above.

The Talmud Jew. By Dr. Aug. Rohling.¹

"All publications that deal with the moral foundation of Judaism—insofar as we may speak of Jewish ethics at all—are based on Rohling's "Talmud Jew" and on the extensive work "Judaism Exposed" by Eisenmenger, published in 1711."

The Book of Kahal. By Jacob Brafman.²

The Road and Aim of the Jewish Race. By Dr. Curt Rosten.

The Causes of Unemployment and Their Removal. By Eduard Gerber.

"The author points out that normally there cannot be any unemployment even in modern economic life. Not machines but the abuse of money causes unemployment. Unemployment is an artificial illness of economics, a product of the will to destroy on the part of the leaders of the Jewish nation who act according to their old prophecy: 'You shall devour all peoples.' It is not the war of all against all that can save us, but unity against the Jewish exploiters."

Fourteen Years of the Jew Republic. The History of a Racial War. By Dr. Johann v. Leers.

The Jews in Russia. By J. J. Ljutostansky.³ Translated from the Russian, second edition, 1880, by Baron Jul. Rosenberg. Revised by G. Arnold.

Jews Look at You. By Dr. Joh. v. Leers.

Anti-Semitism Throughout the World in Word and Picture. Edited by Dr. Robert Koerber and Prof. Dr. Theodor Rugel.

¹See page 27 above.

²An apostate Russian Jew who was active in the sixties of the last century in spreading libels about the Jews. His principal thesis was the existence of a world-wide Jewish organization or "Kahal," a word which means "community." (See Dubnow, "History of the Jews in Russia and Poland," Vol. II, pp. 187 *et seq.*)

³Originally a Roman Catholic priest, he was unfrocked by the Catholic Consistory "on account of incredible acts of lawlessness and immoral conduct," including libel, embezzlement, and rape. He joined the Greek Orthodox Church, and entered a monastery near Moscow as a monk. As a dissertation for a minor academic degree he wrote a pamphlet entitled "Concerning the Use of Christian Blood by Jews." His offer made to a rabbi of Moscow to suppress this pamphlet for a consideration of 500 rubles (about \$250) was rejected (See Dubnow, "History of the Jews in Russia and Poland," Vol. II, pp. 203, 204.)

APPENDIX 2

A Pro-Nazi Speech Analyzed

Below, in the left-hand column, are given the passages regarding Jews in a "lecture" by "Doug" Brinkley, referred to on page 62, above. In the right-hand column are the facts. Brinkley's address is quoted here solely because it contains most of the typical arguments, employed by Nazi apologists to influence American public opinion.

BRINKLEY'S ASSERTIONS

This brings me to the anti-Semitic question, the side which is supposed to be loaded with dynamite. The Jewish race have withstood persecution and prosecution since the days when they fled from the land of Egypt. Spain, England, France, Austria, Poland, Russia, and Germany have from time to time made things difficult for the Jew. He has been deprived of political equality and discriminated against in many ways. When the National Socialists came into power and Germany began to carry out her program, the cries of "Barbarity" were heard. Germany has always been anti-Semitic. Before the war, when a Jew was given a title of "Von" or a minor position of State, he was obliged to forsake his religion and become a Christian. These Jews were known as 'baptized Jews.' After the war, and especially during inflation, the anti-Semitic feeling flared up and continued to smolder deep and deeper until the outbreak of March, '33.

THE FACTS

Brinkley's statement that the Jewish "race" without persecution and prosecution in many lands is obviously intended to imply that there must be something wrong about a people who are persecuted everywhere. But the speaker fails to note the reason for this universal oppression: the fact that the Jews are the only group that is universally dispersed and that the same forces which led to their persecution in one place, operated similarly in other places. Furthermore, Brinkley overlooks the fact that this persecution lasted only as long as the various countries were deficiently civilized, according to moral and ethical standards. Jews have not been persecuted in England, France, and Austria for centuries; in Poland, Jews were not persecuted even in the days of the old Kingdom before the partition. In the United States they have enjoyed civil and religious equality since the foundation of the Republic. In Russia, after the abdication of the Tsar, the Provisional Government headed by Prince Lvov and Paul Milukov, immediately proclaimed the equality of all races and creeds in the former Empire and abrogated the huge mass of discriminatory legislation which had accumulated during the Tsarist regime. Today Germany stands alone among all the countries of the world, in that only in Germany is one section of the population arbitrarily set off as inferior to the majority and deprived of rights which are universally recognized as elementary and inalienable.

On this subject I am not going to express a single personal opinion because I feel you have not come here to hear what I personally might think. I am not an authority on the situation, consequently my personal thoughts would not have much worth. I can only tell you the things I have seen personally and what people have said to me, personally. It is said that every page has two sides; this is admitted as true. This question has two sides and so let us hear both sides of the question! Germany says it is not a religious question, but one of race. (That the Jew has entirely different standards of civilization, culture, and morals.)

Last year, when in Germany, I made special effort to cultivate the acquaintance of educated Jews. I also lived six weeks in a Jewish hotel in Germany. I am going to present their side as they told it to me and I will present the German side as it was pictured to me.

I have explained that Germany has always been anti-Semitic. After the war, the Monarchy was replaced by a Republic, the Socialists and Social Democrats came into control. The members of this party came from the proletariat and the Jews. It has been frequently asked: "How could the Jews who are only one per cent of the entire German population hold so many key positions?" Before the war they only held positions of state according to percentage. This was also true of schools and professions. After the war things were different; they being, as I have explained, of the new regime, it was possible to come into power in state, schools and professions.

Owing to the fact that the emancipation of the Jews came later in Germany than in any other country except Russia, the anti-Jewish feeling which had existed there for centuries has undoubtedly persisted in Germany to a greater degree than in other countries. This persistence accounts for the fact that, before the War, Jews could attain certain positions only by becoming converts to Christianity. This anti-Jewish feeling would probably not have "flared up," if the smoldering embers had not been deliberately and purposefully fanned, as we have seen in preceding pages, by the National Socialist Party. (See pp. 15-30, above, especially the quotation from Hitler's "My Battle" on p. 15.)

Brinkley's statement that "the members of this (Social Democratic) Party came from the proletariat and the Jews," is obviously intended to convey the impression that the Nazi measures against the Jews are acts of reprisal against a political opponent. To insinuate that the Jews of Germany contributed any significant number to the Social Democratic Party, is absurd. At most, 340,000 Jews were voters. If *all* of these voted as Social Democratic, they could hardly have exercised any group influence in, to say nothing of, a Party which, in 1928, had as many as 9,100,000 adherents, and during the last six years never polled fewer than 7,000,000 votes.

That the Jews held few, if any, "key positions" in Germany has already been demonstrated (see pp. 12 and 13 above). Furthermore, whatever their positions were, the Jews performed their functions, not as Jews but as Germans, with the same ardor for the national welfare as non-Jews.

Brinkley's statement that after the War, Jews were "of the new regime" is obviously intended to mean that Jews were able to attain such positions as they held, because they "controlled" the Government. But the truth is that Jews were chosen for a few posts for the same reason that Jews are elected to public office in all countries having modern, democratic governments, namely, that such governments cannot tolerate a system of castes, under which any section of the population is shut out, because of race or creed, from the enjoyment of the same rights as the majority.

Out of 6,000 Doctors of Medicine in Berlin, 4,800 were Jews; the Board of Examining Doctors was composed of sixteen Jews with one Christian; the Berlin Public Hospital was staffed 100% Jewish. Due to the pension system in Germany, the greater percentage of physicians are directly or indirectly in the employment of the State. In Berlin, 45 per cent of the lawyers were Jewish; in Breslau, 70; in Frankfurt-am-Main, 64 per cent. Many judges in all grades of German courts were Jewish. The Managing Committee of the Berlin Exchange consisted exclusively of Jews. The Committee of the Stock Exchange had eleven Germans, 25 Jews; the Produce Exchange, 4 Germans, 12 Jews; Metal Exchange, 2 Germans, and 12 Jews. The theatre and moving picture industry were under Jewish control. The management of the largest banks were almost entirely Jewish.

Germany is the first country to which came the Jews from out of the East, from Russia, Poland, Roumania, Galicia, and so on, and frequently not the best type. Here they stay for a few years, until their material conditions are improved, then they move on to

Brinkley does not give authorities for his figures, and he cites only special and restricted cases (see pp. 6-12, above, for general statistics). But even if his figures were true, the fact that there were so many lawyers or physicians who were Jews, is not of itself reprehensible. It would still have to be shown that the Jews were *bad* lawyers, *inferior* physicians, or *disreputable* business men—which has not been charged. Jews gained whatever honors they achieved fairly and under the most stringent competitive conditions. Sir William Osler, the renowned surgeon, writing of the German-Jewish doctors in a letter from Berlin dated May 18, 1884, said: "Should another Moses arrive and preach a Semitic exodus from Germany, and should he prevail, they would leave the land impoverished far more than was ancient Egypt. . . . There is not a profession which would not suffer the serious loss of its most brilliant ornaments, and in none more so than in our own. . . . Their positions have been won by hard and honorable work. . . . All honor to them!"

It is true that many emigrants from East European countries (not only Jews) pass through Germany on their way to other lands. (For post-War statistics of this transmigration, see p. 3.) But Germany welcomed this transmigration, for it was an important

other countries of Europe, England, or the United States.

After the war, during the inflation period, great hordes of Eastern Jews came into Germany. With the exchange in their favor, it was possible for them to acquire much wealth at the expense of the Germans. Due to the terms of the Treaty of Versailles, they could not be refused admission. The government in power at that time also encouraged their entry, making it possible for them to become German citizens in two years. These, say the Germans, are the main reasons why dislike for the Jews grew rapidly in the last few years. Unemployment was increasing, the people and the nation growing poorer and poorer! The public began to feel the Jew was monopolizing the government, also industry.

factor in the building up of Germany's steamship lines, especially those plying between Europe and the United States.

That Brinkley's statement that "great hordes of Eastern Jews came into Germany" is false, has been shown above (pp. 3, 4). It is also not true that the German government, after the War, especially encouraged the entrance of East European Jews. All immigrants (not only Jews) came under the naturalization laws as part of the German program to gain their allegiance as German minorities in Upper Silesia and elsewhere. In fact, General Ludendorff himself in 1915 encouraged East European Jews to enter Germany.

It is furthermore untrue that the German Government created any special facilities for the naturalization of Jewish immigrants. The very reverse of this happens to be the fact. In 1930, the government announced that immigrants from East European countries could be naturalized only after ten years' residence. According to official figures, only 7,654 out of the total of 107,599 foreigners who were naturalized from 1919 to 1930 were Jews. Brinkley's statement that the Treaty of Versailles prevented Germany from restricting immigration is a fantastic falsehood.

That among the foreigners, in Germany and abroad, who took advantage of the depreciation of Germany's currency were some Jews is doubtless true. But it is not true that all the thousands of Jews who came into Germany during this period, many of them merely passing through Germany on their way to other countries (see p. 3 above), had the means for profiting from this situation. Besides, along with non-Jewish owners of real estate, Government bonds, corporation, securities, and other forms of capital, the Jewish owners of such property suffered and many were completely impoverished because of the destruction of values resulting from the inflation. It is true that many

Germans say that these are "the main reasons why dislike for the Jews grew rapidly in the past few years." But they say this because these assertions about the Jews were widely disseminated as part of Nazi propaganda, and so persistently repeated that they came to be believed by large sections of the German population.

Concerning conditions in Germany today: "No Jew can hold a position of authority; this includes women acting as presidents of women clubs." In other words Germany is being reformed for the Germans. Only according to the percentage of Jewish population, in a city or town, can a Jew enter the professions, colleges, or universities, as well as hold directorships on boards of control in industry and finance. The Jews are not restricted in business life in Germany. They are conducting their business, without restrictions, in all cities of Germany.

I could cite endless examples throughout Germany where the Jew is not restricted in conducting his business. Lawyers are admitted to the Bar. For example: in Berlin, out of about 2,000 Jewish lawyers, 1,200 are still practicing. The one day of 'Boycott' last April was a safety measure, a sort of safety-valve. The masses demanded action against the Jews. If this 'Boycott' had not taken place, there would have been a mass uprising, which would have gotten out of control.

Brinkley is obviously ignorant of the present status of the Jews of Germany, because it is only to the enrollment of Jews in universities and colleges that a percentage restriction applies. With a few exceptions, Jews are absolutely disbarred (see pp. 78-90). Besides, the permanent boycott and the persistent discrimination against Jews in professions render even formal concessions meaningless. As for the freedom which Brinkley alleges Jews enjoy in business, the reader is referred to pages 104-109 below, where he will find conclusive evidence that such freedom is non-existent.

It is not to the credit of the Nazi regime that of the 2,000 Jewish lawyers in Berlin, 1200 are still permitted to practice. The 800 who are not permitted were disbarred not for incompetency or malfeasance, but because they were Jews and were not lawyers before August 1, 1914, front soldiers in the War, or the sons or fathers of men who lost their lives in the service of Germany in the World War. That so large a number of Jewish lawyers (1200 out of 2,000) were entitled to exemption from disbarment on these grounds was a keen disappointment to the Nazis is indicated by the truculent remarks of Dr. K. Deutschmann, Chairman of the official committee to select those Jewish lawyers who were entitled to remain in their profession (see p. 48, above). The plight of these "fortunate" ones is described on pages 93-94. Furthermore, Brinkley omits to state that under the present regime all Jews and descendants of Jews are for the future barred from admission to the professions.

If it is true, as Brinkley says, that "the masses demanded action against the Jews," it was not because Jews held "key positions" or because hordes of Jews from East European countries enriched themselves during the inflation, or because there were so many Jewish physicians or Jewish lawyers—no, it was because of the ceaseless, untiring, ruthless, conscienceless incitation by the National Socialist Party during the thirteen years preceding its acquisition of power.

And if it is true that the boycott was a "safety valve" for popular feeling, then the statement of the Nazi leaders (see p. 40) that the boycott was a punitive measure against the Jews of Germany who were being held as hostages for the good behavior of their kin in other lands, was false. Moreover, if it is a fact that an anti-Jewish boycott for only one day was adequate for the release of pent-up emotions which would otherwise have led to a "mass uprising," then these emotions could not have been violent enough to lead to such a "mass uprising." The fact, however, is that by April 1, 1933, a great deal of the propaganda-induced wrath against the Jews had already found release in the widespread acts of violence, the occurrence of which is grudgingly admitted by Brinkley himself.

The Government admits that some scattered cases do exist, where private grudges of long standing were indulged in, and Jews were the sufferers. The Germans claim that they have never been able to get their side told truthfully through the foreign press, since the press of most of the Major Powers is under Jewish control.

The Nazi claim, cited by Brinkley, of inability "to get their side told truthfully" is without foundation. The great metropolitan newspapers of all countries have published many of the public addresses of Hitler and members of his cabinet. Several British newspapers have published in serial form long articles by Goering and others, not always, however, with favorable comment.

The statement "The press of most of the major powers is under Jewish control" is merely one of the many irresponsible, unsupported assertions in which Jew-baiters everywhere indulge.

Summary

Purposeful attacks upon Jews, some directly ordered by the Nazi government, others inspired by its example and encouragement, began as soon as the Hitler regime assumed full power.. These outbreaks were admittedly the result of governmental policy, beginning with the official boycott of April 1, 1933 as a punitive measure which has continued ever since in order to cause "the humiliation of the Jews of Germany". Anti-Jewish propaganda was continued in an intensified form and nourished by the legal decrees eliminating "non-Aryans" from civil service, professions, and cultural life and by the anti-Jewish declaration of governmental officials. This policy found expression in court decisions in which "non-Aryan" inequality before the law was held to be a legal principle, in the dismissal of the "non-Aryans" from membership in all forms of private societies, and from participation in large business enterprises. The "coordination" movement also penetrated into the field of religion taking the form of a movement to abandon the Old Testament and to segregate Christians of Jewish descent by application of the "Aryan paragraph" to service in the clergy and membership in the church. In the schools, "non-Aryan" children are humiliated by being set apart; so-called un-German books were publicly burned on May 10, 1933 as part of the "enlightenment" campaign; "racial science", teaching the inferiority of the Jews, is inserted into the curriculum; and the number of Jews allowed in the universities is strictly limited.

Together with these official policies, the printing and dissemination of anti-Jewish books and pamphlets have been greatly stimulated. A survey of this current literary propaganda shows that the Jews are regarded as plotters for international control, racial inferiors, sexual perverts, murderers, oriental aliens, religious degenerates, Bolsheviks, and, in general, the villains on the stage of history.

In countries outside of Germany, Nazi propaganda has attempted, first, to deny that any untoward events had taken place. Later, when the anti-Jewish policy was implemented by legislation, apologists for the Nazi regime abroad, especially in the United States, attempted to justify this course by distortion of facts and falsification of statistics, attempting to bolster up such groundless allegations as these: That the Jews of Germany played a major role in the Social Democratic revolution of 1918; that Jews had held most of the "key positions" in the government of the Republic; and that Germany was overrun by "hordes" of Jews from Eastern European countries who were the sole beneficiaries of the inflation of 1920-23. Much is made by these apologists of the fact that, in some of the professions, the ratio of Jews was greater than their percentage to the total population—a phenomenon which is largely the natural effect of the operation of economic and

social conditions—although no charge of incompetence, dishonesty or malfeasance has been made against Jewish professional men.

In efforts to justify the Nazi course, anti-Jewish leaflets and books have been imported to the United States and other countries, in large quantities. Speakers and lecturers have been encouraged to "explain the New Germany," and German students in foreign countries were expected "to enlighten the foreign country."

Evidence of the existence of an organized pro-Nazi propaganda in the United States has been produced by a number of journalists, and by a special committee of the Congress of the United States which conducted a comprehensive investigation.

CHAPTER IV

ANTI-JEWISH LEGISLATION

1. "The Aryan Paragraph"

That the Nazi anti-Jewish legislation was clearly intended to put into effect those points of the Nazi program which were directly or indirectly aimed at the degradation of all the Jews of Germany, will become evident from an examination of the laws, decrees, ordinances, and explanations, presented below. The enactment of these measures was made possible by the suspension by the Reichstag which met for one day on March 23, 1933, of all those articles of the Constitution of Germany which guaranteed civil and political equality to all citizens of Germany regardless of race or creed. The same Reichstag also abdicated its legislative powers, and transferred them for a period of four years to the Government (Cabinet). The legal enactments of which the anti-Jewish measures are a part, are not, therefore, the product of deliberation by a legislative body consisting of representatives of the citizenry, as is the case in the United States and other democratic countries. These laws are actually dictatorial edicts, backed by blanket authority granted, without debate, by a Reichstag whose members were elected while the country was already under the domination of the National Socialists.

Following is an abstract of the laws, decrees, etc., which affect the status of the Jews of Germany. Most of these measures apply also to non-Jews of Jewish descent; many apply to non-Jews who are married to Jews or persons of Jewish descent.

For convenience, the laws have been grouped as follows:

1. Civil Service
2. Lawyers and Courts
3. Tax Assessors and Consultants
4. Physicians, Dentists, and Dental Technicians
5. Education

6. Journalism
7. Motion Pictures, Theatre, Broadcasting, Etc.
8. Entailed Estates
9. Citizenship
10. Miscellaneous

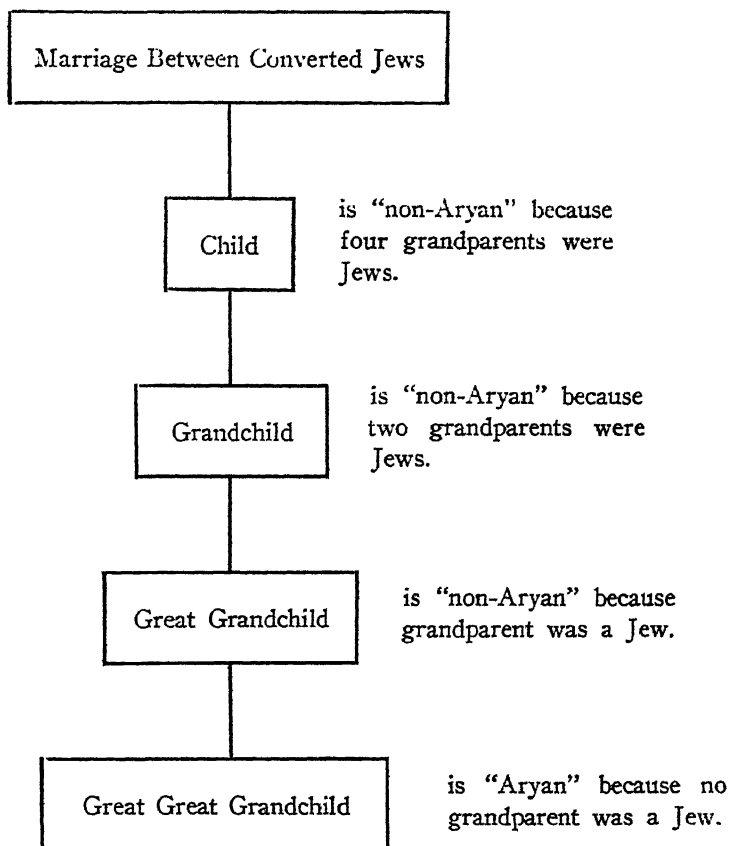
Because of the so-called "Aryan Paragraph", those laws which affect the Jews of Germany are extended to apply also to non-Jews of Jewish descent, for whom the Nazis have invented the appellation "non-Aryan."

The concept of "non-Aryan" is defined in the First Decree to the Law (*Reichsgesetzblatt* I, No. 37, April 11, 1933).¹ According to this ordinance, whoever is descended from "non-Aryan", in particular Jewish, parents or grandparents, is "non-Aryan", it being sufficient that one parent or grandparent is or was "non-Aryan", which shall be deemed to be the case, in particular, where one parent or grandparent was of the Jewish faith. In many cases it is difficult now to determine whether a grandparent was an "Aryan" or not, whilst adherence to a faith may be still ascertained (by the church registers, etc.). In such cases, the criterion of Jewish faith is taken as an auxiliary test, whilst, in principle, membership in the "Aryan" *race* or the contrary remains decisive. Thus, where for instance the grandfather of a person was baptized on birth or later, according to Christian rites, but his father—that is, the great-grandfather of the person in question—can be proved to have been a "non-Aryan", the person in question is deemed to be "non-Aryan". This statement is made according to a subsequent interpretation of the Expert of Racial Research, in the Ministry of the Interior, whose decision in doubtful cases is final.

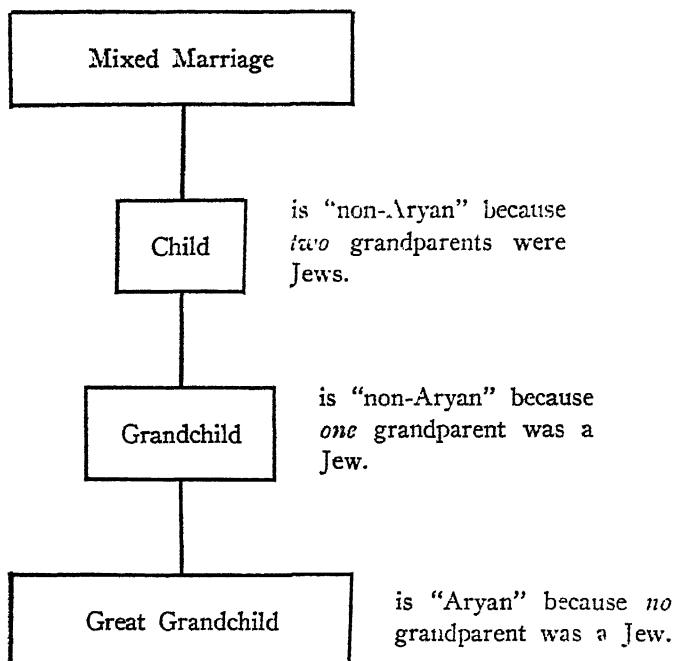
The Nazi definition of "non-Aryan" may be graphically represented in the following diagrams; it is assumed that the issue all marry "Aryans."

¹See page 130, below.

CASE 1

Descent from Baptized Jews

CASE 2

Descent from Mixed Marriage

It will be seen, therefore, that, according to Nazi legislation, in addition to Jews, the following are "non-Aryan" and as such are deprived of many elementary human rights:

- a. Baptized Jews
- b. Children of baptized Jews
- c. Baptized children of mixed marriages
- d. Grandchildren of baptized Jews
- e. Grandchildren of mixed marriages
- f. Great grandchildren of baptized Jews.

Great grandchildren of a mixed marriage are "Aryans."

It will be readily seen that this distinction between "Aryans" and "non-Aryans" is likely to lead to some anomalies. Thus, a man one of whose grandparents was a Jew is a "non-Aryan," whereas his children who had no Jewish grandparent are "Aryans." As a consequence, it may happen, for example, that the "Aryan" son is forbidden from practicing law in partnership with his "non-Aryan" father who may also be a lawyer.

The same definition of "non-Aryan" applies also in cases in which the law provides for the dismissal, or excludes, from the public service even "Aryans" who are married to persons of "non-Aryan" descent.

In the Law Regarding Entailed Estates the term "non-Aryan" is not used. The right to be a *Bauer* (peasant) under this law is withheld from all persons not of "German or cognate blood" as far back as 1800.

2. Summary of Anti-Jewish Decrees, Ordinances, Etc.

Following is a summary of the laws, decrees, ordinances, and explanations affecting Jews and non-Jews of Jewish descent; in a number of cases non-Jews married to persons of Jewish descent are also affected.

The complete official text of the laws, decrees, regulations, and explanations, outlined below, is given in an appendix.*

i. Civil Service

a. The dismissal, with certain exceptions, of civil servants of "non-Aryan" descent. Civil servants are defined as functionaries of the Reich, the States, the communes (municipalities), or unions of communes, servants of public law bodies, as well as officials of similar institutions and establishments. Clerks and laborers of "non-Aryan" descent, attached to the Civil Service are also to retire. Only those officials who have served at least ten years are entitled to receive a pension.

Law for the Restoration of the Professional Civil Service, of April 7, 1933. (Reichsgesetzblatt No. 34, April 7, 1933.)

*Pages 123-177.

b. Definition of "non-Aryan descent" as "descent from non-Aryan, and especially Jewish parents or grandparents, even though only one of the parents or grandparents was of Jewish faith." All civil servants not in office before August 1, 1914 (who claim to be of "Aryan descent") must prove this by the production of documents. Doubtful cases are to be decided by the Expert on Race Questions, attached to the Ministry of the Interior.

First Decree with Reference to the Law for the Restoration of the Professional Civil Service, of April 11, 1933. (Reichsgesetzblatt No. 37, April 11, 1933.)

c. Annulment, within one month, of service contracts of persons of "non-Aryan descent" with public or quasi-public institutions.

Second Decree with Reference to the Law for the Restoration of the Professional Civil Service, of May 4, 1933. (Reichsgesetzblatt No. 46, May 4, 1933.)

d. Withdrawal of licenses, with certain exceptions, from professors, instructors and lecturers in colleges and universities who are of "non-Aryan" descent.

Third Decree with Reference to the Law for the Restoration of the Professional Civil Service, of May 6, 1933. (Reichsgesetzblatt No. 48, May 6, 1933.)

e. Exclusion of persons of "non-Aryan descent" or married to persons of "non-Aryan descent" from service as officials of the Reich, States, Communes, and Unions of Communes; dismissal of officials of "Aryan descent" who marry persons of "non-Aryan" descent.

Law Regarding Change of Provisions Concerning the Law on Officials, Salary and Insurance, of June 30, 1933. (Reichsgesetzblatt No. 74, July 1, 1933.)

f. Definition of "non-Aryan descent" as used in preceding law. Definition is similar to (a) above. The term "descent" applies also to illegitimate descent. Adoption does not change the status of a child within the meaning of this law.

Requirement that a person appointed as an official must prove that he (she) and his (her) spouse is of "Aryan descent," and

that officials who are about to marry must prove that the person he (she) is about to marry is of "Aryan descent."

Directions as to Par. 1a, section 3 of the Law on Officials of the Reich in the Wording of the Law of the 30th of June, 1933, of August 8, 1933. (Reichsgesetzblatt No. 91, August 8, 1933.)

g. Exclusion of persons of "non-Aryan descent", and those married to persons of "non-Aryan descent" from employment as clerks or laborers in the Civil Service.

Second Decree for Changing and Supplementing the Second Decree with Reference to the Law for Restoration of the Professional Civil Service, of September 28, 1933. (Reichsgesetzblatt No. 107, September 28, 1933.)

h. Provisions for the preparation of files for "non-Aryan" officials who are excepted from dismissal. "Officials whose Aryan descent is questioned by reliable sources, especially by nationally-minded bodies, must within three days clarify their status." All ~~other~~ officials are required to make a public statement that they are not of "Aryan descent", and that they are fully aware of the fact that they are liable to punishment and dismissal if their statements are untrue.

Ordinance of the Prussian Minister of Justice (Justiz Ministerialblatt, p. 160, May 23, 1933.)

i. Provision that holders of honorary offices under the Reich Insurance Regulation, the employees' insurance law, the miners' law, or the employment agencies and the unemployment insurance law may be removed from office; assessors of social administration may also be removed.

Law Regarding Honorary Offices in Social Insurance and Reich Insurance, of May 18, 1933 (Reichsgesetzblatt No. 51, May 20, 1933.)

j. Provision that the Law for the Restoration of the Professional Civil Service of April 7, 1933 and of its respective decrees are to be applied in removing and appointing holders of honorary offices in social insurance and Reich insurance.

First Decree with Reference to the Law on Honorary Offices in Social Insurance and Reich Welfare

Work, of May 19, 1933. (Reichsgesetzblatt No. 51, May 20, 1933.)

k. Provision that the Reich, the States and the Communes, as well as other bodies, institutions and foundations of public law may recall persons who have been appointed members of boards of directors or of a similar body of such institutions; retirement terminates the contract of the recalled member.

Law for Coordination of the Boards of Directors of Public Law Bodies, of May 15, 1933. (Reichsgesetzblatt No. 65, June 19, 1933.)

ii. Lawyers and Courts

a. Cancellation of admission of lawyers of "non-Aryan descent"; exclusion from practice of law of persons of "non-Aryan descent".

Law Regarding Admission to the Profession of Law, of April 7, 1933. (Reichsgesetzblatt No. 36, April 10, 1933.)

b. Provisions that "non-Aryans" may be rejected as arbitrators by either party in an arbitration in civil courts and in labor courts.

Law for Changing Some Provisions of the Law on Lawyers, of the Law on Civil Courts Procedure, and the Law on Labor Courts, of July 20, 1933. (Reichsgesetzblatt No. 85, July 22, 1933.)

c. Provision that registry as patent lawyers may be refused to persons of "non-Aryan descent".

Law on Patent Lawyers, of September 28, 1933. (Reichsgesetzblatt No. 107, September 29, 1933.)

d. Requirement that new selections of lay assessors and jurors are to take place immediately; new commercial judges to be appointed to replace incumbents on July 1, 1933.

Law on the New Election of Lay Assessors, Jurors and Commercial Judges, of April 7, 1933. (Reichsgesetzblatt No. 36, April 10, 1933.)

e. Provision for the appointment of new assistant judges on Labor Courts and Labor Arbitration Courts, and of assessors and substitutes of the Technical Boards for Domestic Labor.

Law Regarding the Assistant Judges of the Labor and Arbitration Courts as well as of the Technical Boards for Domestic Work, of May 18, 1933. (Reichsgesetzblatt No. 51, May 20, 1933.)

- f. Provision for immediate expiration of term of service of arbitrators and their substitutes who were elected before March 13, 1933, and for new elections.

Law Regarding the Expiration of Terms of Arbitrators, of June 15, 1933.

iii. Tax Assessors and Consultants

- a. Provision for the immediate constitution of new boards of tax assessors at the offices of Internal Revenue.

Law Regarding the Reconstitution of Boards of Tax Assessors, of April 22, 1933. (Reichsgesetzblatt No. 41, April 24, 1933.)

- b. Exclusion of persons of non-Aryan descent from admission as tax consultants; revocation of admissions already granted to such persons.

Law Concerning Admission of Tax Consultants, of May 6, 1933. (Reichsgesetzblatt No. 49, May 11, 1933.)

iv. Physicians, Dentists, and Dental Technicians

- a. Expulsion of physicians of "non-Aryan descent" from National Health Insurance Panels; exclusion of "non-Aryan" physicians from such panels.

Law Concerning Admission of Physicians to the National Health Insurance Service, of April 22, 1933. (Reichsgesetzblatt No. 42, April 25, 1933.)

- b. Expulsion of dentists and dental technicians of "non-Aryan descent" from the National Health Insurance Panels; exclusion of dentists and technicians of "non-Aryan descent" from these panels.

Decree Concerning Admission of Dentists and Dental Technicians to the National Health Insurance Service, of June 2, 1933. (Reichsgesetzblatt No. 62, June 10, 1933.)

c. Provision for admission of female physicians, dentists, and dental technicians of "non-Aryan descent" if their husbands were killed in action during the World War.

Decree Regarding the Admission of Physicians, Dentists, and Dental Technicians to the National Health Insurance Service, of November 20, 1933. (Reichsgesetzblatt No. 131, November 25, 1933.)

d. Exclusion of dentists and dental technicians of "non-Aryan descent" from membership in the Union of Dentists; in cases of doubt as to "Aryan descent", the managing committee of the association of the physicians of Germany decides.

Decree Regarding the Union of Dentists Admitted to the National Health Insurance Service of Germany, of July 27, 1933. (Reichsgesetzblatt No. 87, July 28, 1933.)

e. Requirement that all employees of the National Health Insurance Service must have knowledge of civics (National Socialist view of life), racial theory, and the fostering of racial and hereditary health.

Fourth Decree for Reconstitution of the National Health Insurance Service, of February 3, 1934. (Reichsgesetzblatt No. 14, February 6, 1934.)

f. Provision that only "Aryan" physicians may act as substitutes for "Aryan" physicians or as assistants to "Aryan" physicians; "Aryan" physicians are to assign "Aryan" patients to "Aryan" specialists, physicians of hospitals and sanitariums, and may accept assignments from "non-Aryan" physicians only where local requirements make this absolutely necessary; partnerships between "Aryan" and "non-Aryan" physicians are prohibited.

Report of the Regulations of Dr. Wagner, Commissioner of Physicians, Concerning Cooperation of Physicians in Reference to Substitution, Assignment, Etc. (Völkischer Beobachter, Berlin, August 22, 1933.)

g. Exclusion of physicians, dentists, and dental technicians of "non-Aryan descent" or whose wives are of "non-Aryan descent" from admission to the National Health Insurance Panels in cities of over 100,000 inhabitants.

Report of New Ordinance of the Minister of Labor Regarding Admission of Physicians, Dentists, and Dental Technicians to National Health Insurance Service. (Völkischer Beobachter, November 21, 1933.)

v. Education

- a. Provision that students of German descent whose mother tongue is German form the student bodies of universities.

Law Regarding the Organization of the Student Bodies at the Universities, of April 22, 1933. (Reichsgesetzblatt No. 40, April 22, 1933.)

- b. Requirement that the ratio of "non-Aryan" Germans who may be admitted to the number of "Aryan" students in each school, college or university must not exceed the ratio of the total number of "non-Aryans" to the total population of Germany; children of parents married before the adoption of this law, one of whom is an "Aryan", are not included when calculating the quota of "non-Aryans".

Law to Reduce Overcrowding of German Schools, Colleges and Universities, of April 26, 1933. (Reichsgesetzblatt No. 43, April 26, 1933.)

- c. Provisions that above law shall apply to public and private schools; the proportion for new pupils and students of "non-Aryan descent" is fixed at 1.5 per cent., the proportion when reducing the number of pupils and students is not to exceed 5 per cent.

First Decree in Reference to the Law to Reduce Overcrowding of German Schools, Etc., of April 25, 1933. (Reichsgesetzblatt No. 43, April 26, 1933.)

- d. Announcement that admission to new colleges for teachers shall be closed to persons of "non-Aryan-descent."

Report Released by the Official Prussian Press Service. (Völkischer Beobachter, December 22, 1933.)

- e. Amendment to the Prussian law on public schools providing for the removal of Jewish representatives from the Prussian School Administration.

Report of Amendment by the Prussian Government to the Law on Public Schools. (Völkischer Beobachter, December 24, 1933.)

- f. Elimination of rabbis from local Committees of Education.

Report of New Law Adopted by the Prussian Government. (Völkischer Beobachter, December 24, 1933.)

vi. Journalism

- a. Requirement that only persons of "Aryan descent" not married to persons of "non-Aryan descent" may be editors.

Law Regarding Editors, of October 4, 1933. (Reichsgesetzblatt No. 111, October 7, 1933.)

- b. Provision that persons who fought during the World War at the front, or whose fathers or sons were killed in action during the World War, and persons who wish to be editors of Jewish papers may be exempted from the "Aryan clause" in the above law; "Aryans" who were married to persons of "non-Aryan descent" prior to the promulgation of the above law may also be exempted from exclusion under the above law.

Decree Concerning Enactments and Execution of the Law Regarding Editors, of December 19, 1933. (Reichsgesetzblatt No. 144, December 20, 1933.)

vii. Motion Pictures, Theatre, Broadcasting, Etc.

- a. Provision that the public presentation of a film is to be forbidden if its producer cannot prove that all persons participating in it are members of the film chamber.

Decree Regarding the Above Law, of July 22, 1933. (Reichsgesetzblatt No. 86, July 25, 1933.)

- b. Provision for the establishment of a temporary film chamber; all persons connected with the production of films must be members of the chamber; admission to membership may be refused "if facts justify the presumption that the person in question does not possess the necessary reliability for carrying on the film profession."

Law Regarding the Establishment of a Temporary Film Chamber, of July 14, 1933. (Reichsgesetzblatt No. 82, July 17, 1933.)

c. Provision for the establishment of Reich Chambers of Literature, the Press, the Broadcast, the Theatre, Music, and the Plastic Arts; in establishing these chambers the provisions of the Law Regarding the Establishment of a Temporary Film Chamber are to be applied; the above chambers are to be united with the temporary film chamber, henceforth to be known as the Reich Chamber of Films, in a Reich Chamber of Culture, under the supervision of the Reich Minister for Enlightenment and Propaganda.

Law Regarding the Establishment of a Chamber of Reich Culture, of September 22, 1933. (Reichsgesetzblatt No. 105, September 26, 1933.)

d. Requirement that all those who participate in the production, reproduction, elaboration, dissemination, preservation, or sale of a cultural product must be members of that branch of the Reich Chamber of Culture, appertaining to his activity; membership may be refused "if facts justify the presumption that the person in question does not possess the necessary reliability and capacity for carrying on his activity."

First Decree Concerning the Law Regarding the Establishment of a Reich Chamber of Culture, of November 1, 1933. (Reichsgesetzblatt No. 123, November 3, 1933.)

e. Statement of the Minister for Enlightenment and Propaganda that "non-Aryans" are regularly refused admission to the branch associations of the Reich Chamber of Culture in conformity with the provision that membership in such association may be refused to persons not possessing "the necessary reliability and capacity for carrying on his activity."

Official Order by the Reich Minister for Enlightenment and Propaganda to the State Governments. (Völkischer Beobachter, March 7, 1934.)

viii. Entailed Estates

a. Designation of the owner of a hereditary rural homestead as a "bauer" (literally, "peasant"); requirement that "only a respectable

person who is a German citizen of German or cognate blood," may be a bauer; definition of such a person as one whose paternal or maternal ancestors did not have "Jewish or colored blood in their veins," since 1800.

Law Regarding Possession of an Entailed Estate, of September 29, 1933. (Reichsgesetzblatt No. 108, September 30, 1933.)

b. Exclusion of persons not of "German or cognate blood" from appointment to the chairmanship, or to membership, on the board of judges of Inheritance Courts to adjudicate disputes under the Law Regarding the Possession of *Entailed Estates*; persons of "non-Aryan descent" are excluded from appearing as attorneys, and from filing petitions in such courts.

First Decree for Execution of the above Law, of October 19, 1933. (Reichsgesetzblatt No. 118, October 20, 1933.)

ix. Citizenship

a. Provision that naturalization granted between September 9, 1918 (date of the foundation of the Republic) and January, 1933 (date of appointment of Hitler as Chancellor) may be revoked if persons to whom it was granted are deemed undesirable; citizens of the Reich staying abroad may lose their citizenship if they have prejudiced the German interests by conduct inimical to Reich and nation, or if they do not return upon the order of the Minister of the Interior. The latter, jointly with the Minister of Foreign Affairs, determines how far the loss of citizenship in such cases affects members of the family of the person whose citizenship is cancelled.

Law Regarding Annulment of Naturalization and Deprivation of German Citizenship, of July 14, 1933. (Reichsgesetzblatt No. 81, July 15, 1933.)

b. Requirement that desirability of a person's naturalization shall be judged by "ethnic-national" principles; racial, civic and cultural points of view are to be stressed, and person's behavior after naturalization is to be considered. Accordingly, the following classes are to be especially scrutinized in connection with the annulment of naturalization: (a) Jews from Eastern countries, unless

they fought on the German side during the World War or rendered special service to the German cause; (b) persons guilty of a serious offense or crime or whose actions were detrimental to the country.

Requirement that Germans who spread propaganda against Germany or attempt to "debase the German prestige or the measures of the National Government" shall be regarded as having committed an act of disloyalty subjecting them to loss of citizenship.

Decree for Execution of the above Law, of July 26, 1933. (Reichsgesetzblatt No. 87, July 28, 1933.)

c. Enumeration of offenses for which aliens may be deported, including violation of laws regarding taxation, foreign exchange, exports and imports; also if an alien "has been active in a way inimical to the Reich, or if otherwise his stay in the country might endanger the internal or external peace of the Reich." Alien is defined as any one not possessing German citizenship.*

Law Regarding Expulsion from the Reich, of March 23, 1934. (Reichsgesetzblatt No. 32, March 24, 1934.)

x. Miscellaneous

a. Provision that marriage loans may not be granted if it cannot be assumed that "due to the political belief of either spouse . . . he (she) will always defend the interests of the national state without reservation."

Decree Regarding Granting of Marriage Loans, of June 20, 1933. (Reichsgesetzblatt No. 67, June 22, 1933.)

b. Statement of Finance Ministry that proceeds of marriage loans are to be spent at only those sales agencies "whose owners warrant that they will always unswervingly support the National Socialist Government."

Explanation of the Reich Ministry of Finances as to the Law Regarding Promotion of Marriage Contracts. (Reichsanzeiger No. 199, July 5, 1933.)

c. In awarding public contracts, "Aryan" firms are to be given the preference, in the discretion of the officer in charge.

*See Points 4, 5, and 8 of the Nazi program, pp. 16 and 17, *supra*.

Instructions Regarding Letting of Public Orders.
(*Reichsanzeiger* No. 180 and *Völkischer Beobachter* of August 5, 1933.)

d. Statement of the Reich Minister of Economy, Dr. Schmitt, that "well-deserving National Socialists" are to be given special consideration in the letting of public orders and contracts.

Prussian Ordinance of August 30, 1933. (Ministerialblatt, Vol. 1, p. 1277.)

e. Report that Committee appointed by the Government to pass on applications for readmission to the brokers' association aimed at the "purging" of the Stock Exchange of "all foreign and non-Aryan intruders."

Report in Völkischer Beobachter of October 6, 1933.

f. Report that the "purging" of the grain markets of "undesirable elements" is progressing.

Report in Völkischer Beobachter of November 4, 1933.

g. Ruling of the Reich Union of German Handicrafts that membership of Jews in trades unions remains valid if they are members of an artisans' guild, but the election of Jews as officers or members of executive boards is to be avoided at all events; where membership in trades unions is not compulsory, the unions may decide whether Jews shall be admitted. "But it goes without saying that on principle Jewish members should not hold offices or seats in the board."

Report in Völkischer Beobachter of October 18, 1933.

Summary

The campaign of Jewish extermination finds official embodiment in laws and decrees, applying in many cases to non-Jews who are of Jewish descent, or who are married to Jews or to non-Jews of Jewish descent. Included in the term "non-Aryan" in addition to Jews, however, are baptized Jews and their children and grandchildren, baptized children and grandchildren of mixed marriages, and great grandchildren of baptized Jews. These laws remove and exclude these persons, or, in some cases individuals married to them, from the civil service, the practice of law or positions in the judiciary, tax assessment and consultancy, medicine, education, journalism, cultural life, the possession of hereditary estates, citizenship, contracts with the government, stock exchange activity, and executive functions in trade unions.

CHAPTER V

THE RESULTS OF TWO YEARS' OPPRESSION

1. Summary of Economic Effects

Millions of the German population have felt, to a greater or lesser degree, the effects of the National Socialist regime. Unquestionably Germany's great tragedy is: the loss of free speech, of freedom of the press, and of freedom of assembly, as well as of other guaranties of the democratic tradition which were embodied in its republican Constitution just as they are in the Constitution of the United States. Two classes have borne the brunt of the Nazi repression. One class is being punished for its principles, the other class is being punished for its racial origin.

The "Aryan" clauses in the legislation and the insistent propaganda of the National Socialist Party have had a blighting effect upon Germans of Jewish descent. Just how severe this suppression has been cannot be told in graphs and statistics. It has been severe enough to force more than 70,000 Germans, of whom about 10,000 are non-Jews, into exile, and to reduce the Jews who remained in Germany to the status of a persecuted and inferior group in the population.¹

Complete figures on the extent to which the Jew has been deprived of a livelihood in Germany are not available. The German Government itself has gathered no statistics on the subject. Nor is there an opposition press to describe conditions as they are. All newspapers, except those which support National Socialism have been closed down or forced into line by the Nazis. Thus, with impartial social reporting within Germany hampered, with free speech and free press gone by the board, the Jewish situation in Germany can be pictured only through significant items of news from responsible foreign correspondents, statements by authorities, and reports of reliable observers.

The following outline of the economic effects, thus far, of the Nazi anti-Jewish drive will be better understood if the table showing the economic distribution of the 261,058 Jews gainfully employed, given in the first chapter of this book, be repeated here.

¹The situation of the refugees is described on pp. 113-116, below.

There are added estimates recently made by observers in Germany of the number of dependents. It should be borne in mind, however, that these figures are for Jews only, and that a considerable number of non-Jews of "non-Aryan" descent have been affected in the same way as the Jews. The number of these non-Jews has not been reliably determined. Estimates have varied from one hundred and fifty thousand to a half million.

Economic Group	Number of Jews Engaged ¹	De- pendents ²
Agriculture and Forestry.....	4,974	1,286
Industry and Handicrafts.....	63,276	60,000
Trade and Transportation.....	160,106	148,000
Civil Service and Liberal Professions....	14,745	13,000
Public Health and Welfare Work.....	10,626	9,500
Domestic Work	7,331	1,069
Total	261,058	232,855

It has been estimated by Jewish relief organizations concerned with the economic and other problems created by the new situation, that a total of 125,000 Jews have been ousted from the professions, businesses, or employment, which they formerly occupied. These 125,000 displaced breadwinners do not include the undetermined number of Jews among the unemployed before the present regime. In other words, the "Aryan" decrees, the anti-Jewish boycott, the "coordination" of business, the Nazi shop-cells and the continuing anti-Jewish agitation have deprived almost half the Jews who were employed, of their former occupations. Moreover, the same forces which led to this result are also operating to render it permanent.

Of the factors which have led to the economic degradation of so large a part of the Jewish population of Germany, the "Aryan" decrees described in detail in the preceding chapter have undoubtedly been the most potent.

On the basis of these decrees all Jews were immediately dismissed from the civil service. The exceptions in favor of Jews who were in office before August 1, 1914, or who had fought at the front during the World War, or had lost a father or a son in that conflict, were whittled down or ignored altogether.

¹Census of 1925. ²Estimated.

2. Expulsion from Professional and Cultural Life

As we have seen, the same "Aryan" principle was also applied to the practice of law, in the professions of notary public, commercial judges, tax assessors and consultants, lay assessors, jurors, etc. The "Aryan" paragraph was also made to apply to the appointment of physicians, dentists and dental technicians to service on health insurance panels.

Before 1933 a total of 15,000 Jews were engaged in government service and the liberal professions, with 13,000 dependents. The greater part of these 28,000 persons have been deprived of their means of livelihood by a stroke of the pen. As we shall see, later, even the professionals who were exempted from dismissal have also been adversely affected.

The civil service in Germany includes a number of groups of workers, as a rule, not classed as government workers in other countries. As a result of the new legislation, the greater number of the 10,500 Jews who were employed in health insurance and social work were thrown out of their positions. In the application of the "Aryan" clause to Jews employed in health insurance and welfare work, not even those who had fought at the front in the World War or who had lost a father or a son in that conflict were excepted.

With all civil appointments closed to them, Jewish students who have been devoting years in preparation for examinations required for such posts are compelled to break off their preparations, and think of other means of earning a livelihood, or emigration.

Lawyers

Soon after Hitler came into power, the German Bar Association was dissolved and a substitute National Socialist Lawyers' Association was formed which excluded from membership the Jews legally permitted to practice. Here it must be pointed out that the lot of the Jewish lawyers who are still permitted to practice is by no means enviable. The practicing Jewish lawyer suffers from the general boycott of Jews. He is forced to maintain his establishment under the constant watchfulness of the Nazis. In some instances he cannot discharge clerks for lack of business and must

maintain an office although clients fear to come to him since it does a litigant little good to be represented by a Jewish lawyer. Furthermore, "Aryan" lawyers are forbidden by the rules of the National Socialist Lawyers' Association to enter into partnership with "non-Aryan" lawyers, or engage them as assistants. The difficulties in which thousands of exempt Jewish lawyers thus find themselves are shared by notaries public, tax consultants, tax assessors, commercial judges and other workers in related fields.

According to figures published by the Office of Information on Statistics and Eugenics (*Cited in "Anti-Semitism der Welt in Wort und Bild,"* Dresden, 1935) there were in the Prussian Superior Court districts, on January 1, 1934, a total of 2066 "non-Aryan" lawyers, as compared with 3378, nine months before,—a reduction of 38.84 per cent; and only 884 notaries, compared with 2046 in 1933,—a reduction of 56.79 per cent. It has been estimated that the total number of Jewish lawyers dismissed exceeds 2000 out of an estimated total of 3500; in other words, 4 out of every 7 Jews practicing law have been dismissed. In addition to these 2000, an equal number of junior barristers and assistant judges have also been dismissed.

But even the position of those Jewish lawyers who were exempt from dismissal because they had been front soldiers or admitted to the bar before August 1, 1914, is precarious. In a speech delivered at Berlin, on May 14, 1933, Dr. Hans Frank, Commissioner of Justice, who is very influential in the present government, urged the government to rush the dismissal also of those Jewish lawyers who were exempt.

The "Aryan" paragraph as applied to lawyers led automatically to the disqualification of all Jewish candidates for admission to the bar, and made it useless for Jews who were engaged in studying law to continue their studies.

Physicians, Dentists, and Dental Technicians

In Germany, all employed persons who earn 3600 marks per annum or less, in other words, the vast majority of the population, are required to be members of a general local sick fund, or, if they belong to a factory or guild, to factory or guild sick funds. These Funds or Health Insurance Panels appoint and pay a cer-

tain number of physicians and dentists, from among whom the member needing their services may select a physician or dentist to treat him. There are also private sick funds maintained by fraternal and mutual benefit societies. It has been estimated that service in these health insurance panels yields up to nine-tenths of the income of medical men in Germany.

As we have seen, Jewish physicians and dentists have been forbidden to serve as Panel physicians or Panel dentists and have thus been deprived of a dependable source of income. The example of the Government has been followed by the private sick funds and by most of the insurance companies which have also discharged Jewish physicians.

Nominally, Jewish physicians who were admitted to practice before August 1, 1914, or who fought at the front or served in a military isolation hospital during the World War, or who lost a father or a son in that conflict, or female practitioners whose husbands were killed in the World War, may continue to serve as Panel physicians. These exceptions, however, are rendered nugatory in practice. In March, 1934, for example, the Nationalist Club for Legal Information of Greater Berlin advised the public that, in view of the fact that, according to a law, "non-Aryan" physicians may not be appointed experts in legal proceedings, it will not do persons who claim pensions for permanent disabilities under Social Insurance Regulations any good to produce certificates of such physicians. "All patients, therefore, who, owing to illness, have a claim for a pension, are cautioned that they must be treated, from the very beginning, by German Christian (Aryan) physicians only, because, as mentioned above, they alone are considered eligible as experts in court procedure." (*Völkischer Beobachter*, March 14, 1934.)

Inasmuch as a sick or injured person cannot always know in advance whether his illness or injury is such as to make him eventually eligible for a pension, it is clear that very few such persons are likely to select a "non-Aryan" physician to treat them. Furthermore, "Aryan" physicians are forbidden to engage "non-Aryan" physicians as assistants or substitutes, or to refer cases requiring expert treatment to "non-Aryan" specialists.

It has been estimated by Jewish relief agencies that 3,000 of 8,000 Jewish physicians in Germany have lost the Health Insurance

Panel practice, and another 1,000 have been dismissed from positions in hospitals, life insurance companies, and the like. Of these 4,000, fully half are in dire need and require assistance.

As for the future, German Jews may take examinations for licenses to practice medicine in Germany only if they renounce their German citizenship. In other words, the practice of medicine in Germany—a field in which Jews have done so much for Germany's fame—is to be closed to Jews from now on.

Thus, only private practice is left open to Jewish physicians, but in view of the boycott agitation, the number of non-Jewish patients who have the temerity to call or to visit a Jewish physician is bound to be small. Nor, because of the increasing impoverishment of the Jewish population and emigration as a result of the measures already described, can the Jewish physician depend much on a Jewish clientele.

In short, a Jewish physician has virtually no place in the "New" Germany.

Journalism, Theatre, Motion Pictures, Etc.

In the liberal professions other than law and medicine, restrictive practices also operate. On the first of January, 1934, a new press law came into effect which excluded Jews from any journalistic work as editors, reporters or contributors. There was an additional drastic element in this decree in that even Jews who fought at the front during the World War and those who had lost father or son in the War, were affected. Although they were not excluded, the decision as to whether they might follow their calling was left entirely to the district leaders of the press, all Nazis, and in the last analysis, to the Minister of Propaganda and Enlightenment. Furthermore, those non-Jews who marry Jews are also excluded from the field of journalism. In the other cultural fields there are Chambers of Literature, Broadcast, Theatre, Music, Films, and Plastic Arts. Only members of these Chambers may become gainfully employed in their specialty, and admission to these organizations is denied to Jews. According to a cabled news dispatch to the *New York Times*, dated December 8, 1934, practically all of the Jewish journalists and writers have been expelled from their positions.

According to the Berlin correspondent of the London *Times*, 2,000 Jewish actors and musicians have lost their livelihood. (*Times*, London, April 18, 1934.)

The following details of the effect of the "Aryan" paragraph in cultural fields are excerpted from a report of a Berlin correspondent of the North American Newspaper Alliance as published in the *New York Times* of March 5, 1934.

. . . Dr. Emil Lederer, the economist, was discharged from the University of Berlin. Max Liebermann, once recognized dean of German painters, can no longer exhibit in Germany. Karl Hofer, leader in the school of modern painters, was dismissed from the Berlin State School for Free and Applied Art.

Arnold Schoenberg, Bruno Walter, Otto Klemperer and Fritz Zweig, conductors of the Berlin State Opera, can no longer conduct in Germany. Frau Lotte Schoene, the soprano, can no longer sing there.

Max Reinhardt, formerly of the Deutsches Theatre, cannot produce plays in Germany. Else Lasker-Schuler's verse is no longer published. Alexander Moissi, Germany's Sir Henry Irving, though not a Jew, is banned from the stage because of his Jewish sympathies.

Dr. Kurt Glaser, famous art historian, was forced by storm troopers to resign from the State Art Library in Berlin.

Louis Ullstein, former head of one of the great companies of the world, died after the control of his business was taken from him. The Ullstein Verlag (publishing company) has been "co-ordinated", and such internationally famous newspapers as the *Frankfurter Zeitung*, *Kölnische Zeitung*, *Berliner Tageblatt*, *Vossische Zeitung*, *B. Z. am Mittag* and *Allgemeine Zeitung* have seen their editorial staffs greatly changed and are appearing in much abbreviated form. The *Kölnische Zeitung* is now an eight page tabloid.

The famous Theodor Wolff, editor of the *Tageblatt*, has had to leave Germany.

The Nazis have "coordinated" everything that reaches the general public. In radio, Drs. Magnus, Flesch, Giesecke and Brown, directors of the German State Broadcasting Station and chiefly responsible for its international success, have lost their posts.

The motion pictures have been stripped of all Jewish actors, directors, supervisors, camera men, writers and even script boys. UFA, the giant Hugenberg outfit, reported in the *Lokalanzeiger* last summer that no Jew was employed by it in any capacity within Germany.

Numerous German writers known throughout the world are in exile, with their books banned. Among them are Thomas, Hans and Klaus Mann and Erich Maria Remarque, who are not Jews, and Stefan and Arnold Zweig. Jacob Wasserman died in exile.

Five of Germany's Nobel Prize winners are now either in exile or deprived of their positions. These five are Dr. James Franck, who received the prize for research in theories of the atom; Dr. Albert Einstein, now in Princeton, N. J., who was rewarded for research in astro-physics; Dr. Gustav Hertz, who made notable discoveries in classifying the types of human blood; Dr. Otto Meyerhoff, honored for research in the transformation of energy in the muscles, and Dr. Fritz Haber, who won the prize for research in the synthesis of ammonia.

Dr. Haber was found dead in a Swiss hotel on January 29, 1934. His greatest service was his discovery—and that of Professor Bosch, with whom he collaborated—of a process for synthesizing ammonia, which gave promise of putting Germany in the position of becoming independent of the world for her food supply and which made it no longer necessary to go to Chile for nitrates for explosives and artificial fertilizers. When the National Socialists seized power, Dr. Haber had to vanish into obscurity. He went voluntarily, but his position had become untenable. Such men as Dr. Haber cannot find an outlet for their energies elsewhere.

The Teaching Profession

In Germany, not only elementary instruction, but also secondary and university education is also a function of Government, whether federal, state, or municipal. All teachers, therefore, are public officials or civil servants. The "Aryan" paragraph in the basic Law for the Restoration of the Professional Civil Service therefore applies to college and university professors, as well as all other grades of instructors, and teachers in all other public academies and schools.

The number of university professors, in office in February, 1933, who were Jews is not known. As has been stated on page 10, in 1925, out of a total of 4,958 university professors and instructors, about 200 were Jews. In 1933 there were probably not many more. The number of non-Jewish professors of Jewish descent was about the same. The exact number of these Jewish university and college professors who were ousted from their posts is not known. Undoubtedly, a number followed the example of Dr. James Franck, Nobel Prize Winner, professor at Göttingen University, who, though a front fighter in the World War, renounced his right to exemption, saying:

"I have requested the authorities to relieve me of my office, but I shall try to continue my scientific work in Germany. We Germans of Jewish descent are being treated as aliens and enemies of the fatherland. We are asked to have our children grow up in the knowledge that they must not profess themselves to be Germans. Although those who served in the War have received permission further to serve the state, I decline to avail myself of this privilege. Even so, I appreciate the view-point of those who deem it a duty in these times to continue at their posts."

But even of those who did not take the same course, few, if any, could have withstood such humiliations as the notice of the student body of Berlin University, quoted elsewhere, asking all students to refrain from enrolling for, or attending, courses given by Jewish professors. "The studenthoods have not been definitely given the right to dismiss professors," says Dr. Hamilton Fish Armstrong, Editor of *Foreign Affairs*, on page 11 of his "Hitler's Reich,"

"but they have terrorized the university administrations by their power to turn suspicion on anyone who opposes them, and as a result of their demonstrations, boycotts and proclamations, have succeeded in forcing out even the Jewish or liberal professors for whom the government had proposed making exceptions because of service at the front."

It is altogether likely, therefore, that the German universities have been effectively "purged" of all "non-Aryan" as well as all liberal elements. According to a cabled news dispatch to *The New York Times*, dated Berlin, April 8, 1934, no fewer than 800 college teachers and university professors have been ousted from

their positions because they are "non-Aryans"; of this number, 350 have been deprived of all government aid since October 1, 1933.

As for elementary and secondary school teachers who are Jews, the Berlin correspondent of the *London Times* is authority for the statement that they numbered about 1,200, and that about 300 were still (middle of April) in the schools as entitled to exemption under the "Aryan" paragraph. (*London Times*, April 18, 1934.)

Enrollment in Universities, Etc.

According to the Law Against the Overcrowding of the Universities, Colleges, and Schools, the number of Jews who may enter the institutions of higher learning is limited, with a few minor exceptions, to 1.5% of the total enrollment. But this limitation is further restricted, as only those students may enter the universities whose "national spirit" is unquestioned. According to Nazi ideas, however, Jews are incapable of understanding the German "national spirit."

The barring of Jews from all civil service positions, from legal practice, from medicine, from dentistry, and from teaching, practically renders the percentage quota unnecessary, as no reason appears to be left for Jews to enroll at all.

Besides, those Jewish students who do enroll must pursue their studies under degrading conditions. In some institutions, they are required to have a student's card differing in color from the cards borne by non-Jewish students; in some institutions, they are required to sit apart from the others; in many schools, they are excluded from the student dining rooms and from libraries.

The Jewish Child in School

According to the Berlin correspondent of the North American Newspaper Alliance, already quoted, some complaint is heard about the treatment of the children. This correspondent goes on to say:

No physical suffering is imposed. Any sign of that is rigorously punished. But, for the moment, the rank and file of the German people are obsessed by the belief that the Jew is the natural enemy of the "Aryan" race, the secret cause of all the misfortune that has ever befallen the German people. This is repeated day in and day out,

in the press, through the radio, at the movies. The public is hypnotized.

Nominally, Jewish children may attend the public schools as freely as non-Jews. But, in reality, political fanaticism has seized most of the teachers, though not at the instigation of the authorities. But it is there and cannot be rooted out.

So Jewish children are despised by their school-fellows. No one seems to think it necessary to teach the non-Jewish children self-restraint. The hostility between the races thus is becoming ingrained. The Jewish child is invariably the scapegoat.

In the course of a speech delivered in London, on December 20, 1933, Lady Violet Bonham-Carter read the following letter from a boy of 13, the son of a Jewish father and a Christian mother, who had been brought up as a Protestant.¹ The letter was written from Paris, whither the family had fled:

"I was the only Jew in my class. Until Easter I was a Protestant, then they found out that my father was a Jew and so I became one. After that everything was different. No one would be friends with me. No one would answer me. In school no one would sit next to me. They all used to want to before, as I was the best in the class and they all wanted to crib. Now I had to sit all alone on the back bench. At first I was frightfully unhappy—more so as the masters who always used to like me could not stand the sight of me any more. When they came into the classroom everyone had to jump up and with right hand outstretched, shout 'Heil, Hitler!' I did too—or I didn't. I don't know. If I did, then the whole class would shout 'The Jew is profaning our greeting!' And if I didn't, the master shouted 'You wait, you Marxist bastard!' Then I was ordered to shout 'Heil, Hitler!' alone three times. The whole class laughed. I was so afraid, I wanted to cry. And then I used often to be late so that I shouldn't have to shout 'Heil, Hitler!' The master used to give me extra work to do as a punishment. He wrote in the class book, 'For Jewish slovenliness.'

Once I did not know the answer—I used always to know before—so he asked me if the only thing I could do was 'Fires and murders like my father.' Once when I could not answer, the history master said I should be slaughtered

¹Published in pamphlet entitled: "Child Victims of the New Germany—A Protest by Lady Violet Bonham-Carter," London, 1934.

like father. I tried to pull myself together, but tears used to sometimes come and then they used to say I was a dirty coward like the rest of the Marxists. The worst thing of all was in the 'breaks' in the courtyard. We children of Jewish and Marxist parents had to go into a corner of the courtyard by ourselves. Then there was always trouble. The others shouted nasty things at us and threw stones. Once I defended myself, so they hit me and bullied me fearfully. Those in charge didn't even come near.

At singing it was worse still. I had to learn the text of the Horst Wessel Lied and the other songs and then I had to say them alone. Again they used to laugh and shout horrid things.

In drawing I had to do nothing but swastikas. Once I got detention because I drew a crooked one. Then the master wrote in his book, 'For ridiculing the German symbol.'

Before I used to be the best pupil. Now I was the worst. Whether I got something right or wrong, I always got the worst marks. I was the scapegoat for everything."

An illustration of what happens when efforts are made to prevent the humiliation of Jewish children is contained in the following news item:

In February, 1934, the Director of the Goethe School in Leipzig, Dr. Behrends, and a teacher, Frä. Vorwerk, were dismissed by the Leipzig Town Council for refusing to allow a child to recite a verse which was insulting to the Jewish pupils in the school. Frä. Vorwerk, during lessons, had prevented a girl from reciting a poem by Dietrich Eckart because she was afraid that the Jewish girls in the class might feel hurt by it. When the parent of the girl lodged a complaint, Dr. Behrends, the Director, defended the attitude taken up by the schoolmistress. The Town Council decided that the action of the Director and the teacher could not be tolerated in a National Socialist State, and unanimously decided to dismiss them.

—*Berliner Tageblatt*, Feb. 27, 1934.

The following excerpts from a report of a special correspondent which appeared in the *Manchester Guardian* on October 9, 1933, give further illustrations of the manner in which Jewish children are treated in the schools of Nazi Germany:

"Jewish children must not sit on the same form with the Aryans. They are segregated. As soon as a child

comes to school it gets this terrible blow. It is humiliated before the other children, made to feel different from them and inferior to them. . . ."

"In many of the schools in German Upper Silesia the Jewish children are made to join in singing songs that outrage their Jewish feelings. . . . In several schools in German Upper Silesia Jewish children are made to join in songs in praise of Hitler. There are school songs openly directed against the Jews. Grievous as is the lot of Jewish children in the classroom, it is yet more tragic outside in the playground. Here they are at the mercy of the young 'Aryan' barbarians. The Jewish children are excluded from the games. 'Aryans' will not play with them. They must not touch the balls. . . ."

"In the kindergarten games, when every child represents some animal, the Jewish ones are made pigs. After having been made a pig for several days in succession, a little Jewish girl of six refused to go to the school any more. Boys and girls who used to play with the Jews now turn their backs to them. The teachers show frozen faces to the Jewish children; they will lose their posts if they do not. Many Jewish children come home with swastikas cut in their clothes. Their books are smeared with the sign. Little Jewish girls at a school near Hindenburg had their school aprons cut into swastika shape."

"I was told of a Jewish boy of 13, who attempted to take his life because of the ordeal he had gone through in a public school in one of the principal towns in Silesia. A doctor who examined him later outside Germany said that the boy had begun to suffer from persecution mania developed at school. A non-Jew told me how he saved a Jewish schoolboy from serious injury. Six 'Aryan' savages caught a Jewish school-fellow. They dragged him into a wooden hut in a distant street, made him kneel on nails knocked into the floor, beat him and made him shout 'Heil, Hitler!'"

Besides, as has already been pointed out, the Nazi brand of "racial science" is taught in all schools, and also the Nazi version of recent history, according to which "Marxists and Jews" were responsible for Germany's defeat in the World War, and the Weimar Republic was a "Jewish republic" which brought disgrace to Germany's name. The manner in which this problem is being met by the Jews of Germany is described elsewhere. (See p. 118, below.)

But this description of the effects of the Nazi policy toward the Jews would hardly be complete without a consideration of the tragic plight of those who have been forced to leave Germany. (See pp. 113-116.)

3. The Drive to Oust Jews from Commerce and Trade

With employment in professional and cultural fields virtually barred to the Jews of Germany, the question naturally arises: What are the Jews to do for a livelihood? And the none too disingenuous answer of the Nazis is that there is no legal bar to the pursuit of commercial occupations by Jews. But how have Jewish merchants and traders in Germany actually fared under the Nazi regime?

The answer to this question is of great importance for an understanding of the real situation of the Jews of Germany, in view of the fact that those who seek to defend the Nazi regime frequently aver that while it is true that Jews have been ousted from the professions, they have not suffered any molestation in business.

Thus, in a speech delivered in Berlin on February 26, 1935, at a meeting of the members and friends of the American Chamber of Commerce, Dr. Julius Lippert, State Commissioner for Berlin, who is said to be the virtual ruler of the German capital, said:

"It is asserted and the reproach is made against us that we destroyed the economic existence of the Jews in Germany and we are making efforts toward it wherever this destruction has not yet succeeded or has not yet been completed. You gentlemen who have an opportunity to look around in Germany have also the chance to clarify the matter.

"For everybody, even a disinterested visitor to our Fatherland, has an opportunity to convince himself by facts that economically nothing has happened to the Jews of Germany. Not a single dispossession or destruction of a so-called Jewish enterprise has taken place. If a Jew has proved to the State that he is ready to fulfill all the duties put upon him which every other inhabitant of our Fatherland must fulfill as well, he has equal economic rights."

Berliner Illustrierte Nachtausgabe, February 26, 1935.

The available evidence shows that this and similar statements are absolutely contrary to the tragic facts.

As has been stated in the first section of this book, about 160,000 Jews were engaged in trade at the beginning of the Hitler regime. These Jews have been subjected to a persistent boycott, and firms employing them have been put on black lists. For a time, certain large firms resisted attempts to force them to discharge their Jewish help, and it is reported by a reliable authority that the Allgemeine Elektrizitäts Gesellschaft, the German counterpart of the General Electric Company in the United States, was boycotted in many quarters because it employs a comparatively large number of Jews, but that the management ameliorated the situation by conferences with authorities and thus avoided extensive change in personnel which would have given offense to foreign customers.

Smaller concerns were either not disposed, or unable, to stem the quickly rising wave of Nazism, with the result that thousands of Jewish workers were thrown out of employment. The process through which this was accomplished, without the existence of any specific laws on the subject, was of a two-fold nature. Before the first of May, 1933, it was reported that the *Gleichschaltung* or coordination of German commercial organizations had made great headway. In each individual store or factory there was a Nazi cell that quickly assumed control of the establishment and operated it to the disadvantage of all Jews.

The process of *Gleichschaltung* was made easy by the State control of Chambers of Commerce and other similar organizations. As reported in the London *Economist* of April 22, 1933, "private organizations have also found it advisable to eliminate from leading positions in their offices those persons—Jews and members of parties of the Left—who are regarded by the Government as undesirable. The *Gleichschaltung* usually consists in the appointment of one or more Nazi commissioners as members of the organization."

The procedure has been for the Nazi "cell" to demand the dismissal of all Jews. Firms soon realize that it is not healthy for them to resist these "cells". Intimidation, sabotage, and actual mistreatment are resorted to.¹

"Through various forms of chicanery," says John Elliott, Berlin correspondent of the *New York Herald-Tribune*, "ways are

¹For illustration, see case reported in *Frankfurter Zeitung*, March 12, 1935, p. 54, *supra*.

being found to eliminate Jews from business". Mr. Elliott goes on to say:

As the industrial life of the nation is organized by the Nazis, it is virtually impossible to engage in business unless one is a member of an appropriate association or union. But many of these organizations, such as the Association of German Brokers, have introduced an Aryan clause into their constitutions.

—*New York Herald-Tribune*, April 15, 1934.

At the beginning of the Hitler regime, Jews, in common with their neighbors, suffered from the unemployment accompanying the world-wide depression. After the Nazis came into power, the exclusion of Jews from jobs in commercial and industrial establishments and their isolation by a social and economic boycott, greatly increased the unemployment among Jews in Germany. In industry and the crafts there were, a year ago, 63,000 Jews who, with their dependents, made up a total group of close to 125,000 men, women and children. Germany has always been heavily unionized, and it has been estimated that over 50,000 of these 63,000 workers were members of unions. Now, the Nazis have excluded the Jewish workers from the Labor Front which replaced the old trade unions. As a consequence, besides losing their rights, and in many cases their jobs, the Jewish workers have also lost their title to insurance benefits toward which they had contributed for many years before the Nazi regime.

In addition to these miscellaneous measures, the drive to oust Jews from commerce and industry was and is being effectively and ruthlessly pressed by means of a widespread boycott movement which is often fostered by leaders of the National Socialist Party, holding administrative positions.

The Continuing Anti-Jewish Boycott

In many cities, especially those having a considerable Jewish population, most, if not all, of the shops display a sign reading: "Deutsches Geschäft" (German business), that is, non-Jewish business. The Nazi newspapers everywhere frequently publish articles urging their readers to buy exclusively from "German" shops. In December 1934, there was printed on the press of the *Frankfurter Volksblatt* a pamphlet entitled "Eine Antwort auf die

Greuel- und Boykottthetze der Juden im Ausland" (an answer to the Jewish Atrocity and Boycott Propaganda Abroad). This 175-page pamphlet gave a list of all Frankfurt professional and business men who were alleged to be Jews. As a pretext for the publication of this list, the introduction stated that the list was prepared "in order to prove how many members of this race can still attend to their business in National Socialist Germany without being harmed." The Introduction, however, concludes with the following significant sentence: "As for the rest, an old proverb says 'Whoever associates with Jews must die.'"

In Hoechst, a suburb of Frankfurt, crowds assembled in front of shops owned by Jews, on Sunday, December 9, 1934, two weeks before Christmas. Upon the approach of prospective customers, the crowd yelled in chorus: "Whoever buys from a Jew is a traitor!" On the days immediately preceding Christmas, the windows of shops owned by Jews in Frankfurt were covered with anti-Jewish signs, and the sidewalks in front of the shops were also besmirched with scurrilous inscriptions. On the following Sunday, December 16, and on Christmas Eve, these activities were intensified. Young boys formed in double files on both sides of the entrance to the larger shops owned by Jews and prevented customers from entering. Boys also invaded some of the shops and forced the customers out.

The boycott in Frankfurt-am-Main also applies to physicians. By the very fact that almost every non-Jewish physician displays a sign "German Physician" every Jewish physician is thus characterized as a "non-Aryan". Only four "Aryan" physicians refused to accept and to display the sign "German Physician." All municipal employees and officials were strictly forbidden to consult Jewish physicians, even those who are admitted to panel practice. A new list just published, which contains the names of all Frankfurt panel doctors, distinguishes "non-Aryan" physicians by an asterisk.

Much of the unfavorable situation of the Jews in Frankfurt is traceable to the attitude of the Mayor, Dr. Krebs. In order, however, to make a good impression on foreign visitors, he takes them to the Neues Theater, which is directed by a Jew, and to the Café Esplanade, which is frequented by Jews. This theatre and this café are permitted to operate without molestation, for the purpose of being used as show-places to foreign visitors.

Many of the boycott activities in Frankfurt have their counterpart in other cities of Hesse-Nassau, and of the Free State Hessen. On Sunday, December 9, 1934, riots occurred in front and inside of the shops of Jews. In Mainz, boycotters attempted to scare customers away. Department stores belonging even to non-Jews were also terrorized in this way. The customers were routed by the throwing of stink-bombs into some of these shops. Boycotting also occurred during the weeks before and after Christmas at Wiesbaden, an internationally known watering place, and in Worms and Offenbach.

In Central Germany, the anti-Jewish boycott movement is consistently fomented by Julius Streicher, the editor of the weekly *Der Stürmer* and of the daily the *Fraenkische Tageszeitung*. In many cities in this area, stink-bombs were thrown in a great number of shops owned by Jews as well as in the branches of Woolworth's in the city of Hanover. As a result of the gas released by these bombs, part of the shops had to be closed immediately, and more than 20 persons had to be taken to hospitals suffering from severe poisoning. At Peine, the boycott began in November 1934. At Braunschweig, it began on November 7, immediately after a lecture delivered by Streicher there. The windows of shops owned by Jews were covered with signs warning the public against purchasing in them. In some cases, the words "Kauft nicht bei Juden" (Do not buy of Jews) were cut into the glass of the windows of many shops owned by Jews. Here, too, tear-gas bombs were thrown into a department store on Sunday, December 9. Even on the following Sunday, when police protected the store outside as well as in, several bombs were again thrown.

The situation of the Jews in the city of Nürnberg, which is the headquarters of Streicher, is notoriously worse than in other parts of Germany. Not a single vocation, profession, or business is exempt from boycott agitation. The number of shops which display the sign "Deutsches Geschäft" (German business) is greater here than in any other place. Practically all restaurants and cafés are closed to Jews. Although signs reading "Juden sind hier unerwünscht" (Jews are not wanted here) are on display only inside of such places, yet the exclusion of Jews is made plain by such signs on the inside as "Hier verkehren nur Nationalsozialisten." (Only National Socialists frequent this place.) In the hotels are to be found signs reading: "Hier grüsst man mit

Heil Hitler!" (Here one uses the greeting Heil Hitler!). Jewish physicians who are still legally entitled to practice are not admitted in hospitals and can no longer, therefore, perform surgical operations. Jewish lawyers are not permitted to practice. Owing to Streicher's agitation, many places in Franconia have posted signs reading: "Juden betreten diesen Ort auf eigene Gefahr" (Jews enter this place at their own risk).

In rural districts, the situation of those Jews who deal in agricultural products or are engaged in cattle trading, has recently improved, but Jews who are in business are persistently boycotted. The following notice which appeared in the *Bretzenheimer Nachrichten* on August 31, 1934, is typical of anti-Jewish boycott agitation in the rural press:

"Bretzenheim Folk-Comrades:

Selfish persons spread the rumor that trade with Jews is now permitted. I state, however, that it is the duty of every folk-comrade organized in the National Socialist movement to satisfy his wants by dealing with folk-comrades and not with Jews. The principles and provisions of the National Socialist party are unchangeable. Every German folk-comrade has to act accordingly.

Lotz
Obersturmbannfuhrer."

In Westerwald (Rhineland), inciting leaflets are distributed in which lists are given of Jewish businessmen. Anyone who makes a purchase from a Jew receives an anonymous letter threatening him with exclusion from winter relief. In Kassel, placards reading "Der Jude ist ein Volksverräter!" (The Jew is a National betrayer) are affixed not only to the windows of shops, but also to the doorways of houses and the gateways of gardens belonging to Jews. In this city, recently, when a prominent Jew died at the age of 70, not a single undertaker was willing to provide a hearse, and the Jews were compelled to improvise facilities for the funeral. On their way to the cemetery, the mourners were annoyed and mocked by school children.

In general, boycott activities were carried on in advance of the Christmas holidays, 1934, in over 120 German cities. In about 150 cities, it is impossible for Jewish businesses to place any advertisements in the local newspapers. The motion picture thea-

tres also exclude advertising by Jewish firms, and the federal railroad administration has cancelled all advertising contracts of Jewish firms, thus preventing them from advertising on railroad stations and in trains.

Official Corroboration of Drive to Oust Jews from Business

Obviously, in the absence of an independent press in Germany, the above statements cannot be corroborated by reference to direct official or semi-official sources. Indirectly, however, they have been corroborated again and again by the warnings of government officials against such practices, because of their harmful effects on the country's business.

As early as March, 1933, such a warning was issued in the form of a letter from Dr. O. Wagener, Commissioner of Economy, to Mayor Fiehler of Munich, who was also president of the National Socialist Party Office for Municipal Politics. This letter which was published in the *Völkischer Beobachter* of March 27, 1933, reads as follows:

"I have recently received from a number of business firms copies of circulars issued by various local authorities to a large number of manufacturers and other business concerns, with a view to ascertaining whether the concerns can be regarded as 'German undertakings.' The questions put in the circulars are intended to discover to what extent the capital of the firm concerned is German, to what extent non-Aryan and non-German principals are connected with it, and so forth. While I am of course completely in agreement with the view that the municipalities particularly should obtain their requirements only from German firms, I nevertheless consider it necessary that a stop should be put to the measures which have been taken. The whole complex of questions raised in these circulars is not so simple that decisions can be made by a mere 'Yes' or 'No' or on the basis of figures. It is rather the Government's task to see that every undertaking in Germany, no matter where its capital comes from or who controls it, finds its place in the German economic system, and that the management of each undertaking is in future conducted exclusively from a German economic standpoint. In carrying through this necessary task, the Government can, however, only be hindered, if through the action of certain authorities a situation is created which reacts unfavorably on economic life. Our aim cannot be to ruin existing economic undertakings

in Germany, even if they are worked with foreign capital and have hitherto been directed to some extent by foreign individuals, but rather to compel them to act in a German way and in conformity with the great principle laid down by our leader—"the common good before private interests." I must therefore request you to use your influence, as the leader of the Department of Municipal Politics, to prevent further circulars of this type being issued in future, and to explain that such measures will cause a dislocation in the whole of the country's economic life which, with the best will in the world, we do not want at the present time."

Evidently, little heed was paid to this warning, for we find, only two months later, the same Dr. Wagener issuing an edict to stop growing disorganization of business through interference by self-appointed Nazi groups (*New York Times*, May 24, 1933). In the same month, a member of the Nazi party, who had appointed himself manager of a concern and dismissed all Jewish employees was arrested, as part of a drive against individual actions (*New York Times*, May 31, 1933). What punishment, if any, was imposed on this person has not been revealed.

Apparently, not all Nazis were in agreement regarding the wisdom of such a drive, for we find Dr. Robert Ley, leader of the Labor Front, saying that the next step for the Nazis is the elimination of "political foes" from shops and offices (*New York Times*, June 22, 1933), and Nazis issuing new signs to distinguish between German and "non-German" establishments (*New York Times*, June 25, 1933).

It would seem that the more extreme Nazis continued to make headway in their measures against Jewish businessmen, for on July 7, 1933, we find Rudolf Hess, Hitler's deputy leader of the party, issuing orders that propaganda against department stores be stopped, and on September 27, 1933, we find Wilhelm Boerger, Labor Trustee for the Rhineland, issuing a rescript in which he repeats Hess' order. On the same day, we find Dr. Kurt Schmidt, the Minister for Economics, issuing a manifesto protesting against the boycotting of Jewish concerns, on the ground that this "would unquestionably cause serious disturbances in the progress of economic recovery". To give added force to his rescript, Dr. Schmidt stated that it was being issued "in complete agreement" with Dr. Paul Joseph Goebbels, Minister of Propaganda (*New York Times*, September 28, 1933).

These warnings, however, had to be repeated, for on February 6, 1934, we find Dr. Wilhelm Frick, Minister of the Interior, issuing orders to the chief administrative officers of the Reich and to the Governors of the various states calling their attention to the fact that the Government had set limits to the application of the "Aryan" laws. It would be especially harmful, Frick stated, if these laws were extended to business.

Following is the report of Frick's circular from the *Völkischer Beobachter* of February 8, 1934:

The Reich Minister of the Interior, Dr. Frick, has sent a circular to the supreme authorities of the Reich, the governors of the States and the State Governments, in which he states that the Aryan laws were necessary for ethical and political reasons. On the other hand, the Reich Government has set certain limits for itself which must be maintained. The German Aryan legislation, the Reich Minister writes, among other things, would be understood better in the inland and abroad, if these limits would always be respected. It would be especially inappropriate, even risky, if the principles of the so-called Aryan clause in the Laws for the Restoration of the Professional Civil Service, which has served as a pattern in numerous cases, would be extended to fields for which they are not meant at all. This is especially true of free trading, as the National Socialist Government has declared time and again.

Minister Frick requests that all encroachments in this field be most resolutely opposed, and that the subordinate authorities be most emphatically instructed strictly to follow the existing laws in their measures and decisions.

The warnings of such prominent officials as Schmitt, Goebbels, and Frick, seem not to have been effective, for on March 22, 1934, we find Hitler, himself, in a speech to his State Governors, ordering them to suppress the arbitrary and independent action of local Nazi chiefs, who had started an agitation for celebrating the anniversary of the 1933 one-day boycott by a similar performance (*New York Times*, March 24, 1934).

On the same day, according to an Associated Press dispatch from Weimar, Hans Frank, Nazi Commissioner for Justice, stated at a police meeting on that day:

"Let me tell those 150 per cent National Socialists, who are wondering why Jews are still living in Germany, that

in the near future I intend to undertake a thorough cleaning out of the party organization."

—*New York Times*, March 24, 1934.

Warnings and appeals of the same tenor were also issued by Dr. Hjalmar Schacht who, in August 1934, succeeded Dr. Kurt Schmitt as Minister of Economics. Of especial importance is an order issued, by Dr. Schacht, on November 17, 1934, prohibiting interference with Jewish concerns selling or exhibiting Christmas gifts.

That all these warnings fell upon deaf ears in many sections of the Reich is shown by the incidents described on pages 106-109.

4. The Refugees

Since March 1933, over 75,000 persons have felt compelled to leave their homes in Germany. Among these were (1) Jews and non-Jews who, because of their active opposition to the Nazi onslaught, had suffered, or were threatened with, direct personal oppression; (2) Jews, and Christians of Jewish descent, who were eager to escape the economic serfdom which lies ahead for all members of their groups, as a result of the Nazi race legislation and discriminatory practices.

According to the latest official figures issued by James G. MacDonald, League of Nations High Commissioner for Refugees, on February 1, 1935, the total number of refugees from Germany, by that date, was approximately 77,200. Of these, 28,200 had migrated overseas, to Palestine, North and South America, South Africa, and elsewhere. A total of 6,000 were absorbed in European countries in which they took refuge, and another 18,000 were returned to countries of Central and Eastern Europe in which they originated. There remain a total of 25,000 refugees who are still unprovided for. They are distributed in the following countries: France, 13,500; Great Britain, 2,500; Czechoslovakia, 1,500; Holland, 1,500; Saar Territory, 1,300; Italy, 1,100; Spain, 1,000; Austria, 900; Belgium, 400; Scandinavian countries, 300; other countries, 1,000.

Of the 25,000 refugees who are still unsettled, from 6,000 to 7,000 are absolutely destitute, and require assistance from philanthropic sources.

Not all the refugees are Jews. In September, 1933, it was estimated that, of the 60,000 refugees then temporarily living in European countries outside of Germany, 9,000 were non-Jews. In view of the fact that most of the 18,000 refugees who have been repatriated and a very large proportion of the 28,200 who emigrated to overseas countries, were Jews, it is likely that a considerable proportion of the 25,000 refugees who remain unsettled are non-Jews. In his report submitted at the Third Meeting of the Governing Body, on November 1 and 2, 1934, the High Commissioner stated:

"Among the non-Jewish exiles, in addition to a relatively small number of Communists, are many of the political and intellectual leaders under the German Republic—Democrats, moderate priests, and Protestant pastors. For these no adequate funds have been available. Hundreds of them are now reduced to penury in France, Czechoslovakia, the Saar, Switzerland, and elsewhere. Surely, the necessities of these men and women among whom are some of the finest intellectual representatives of democratic Germany, should stir the sympathy and enlist the generosity of liberal and democratic people irrespective of creed."

The number of refugees would have been much larger than it was had not the realization soon been forced upon the Jews in Germany that no adequate refuge was open to them. After the first exodus, and when reports from friends and relatives who had fled came back to Germany telling of their poverty and hopelessness in cities like Prague and Paris, the feeling grew that even servitude near their firesides was preferable to a tenuous and insecure existence in countries where in culture and in legal status they will always be alien strangers. Besides, the Nazi authorities rigidly control emigration, so that, except for emigration to Palestine, while few obstacles are placed in the way of the exodus of persons without means, the departure of those who have property, without the virtual surrender of their possessions, is made extremely difficult.

There are also the most formidable barriers of the governmental restrictions against immigration which shut the gates of many countries to any sizeable influx of refugees. Furthermore, the problems created in the several countries by these settlements of refugees require immediate and decisive solution. The national economies of France, Czechoslovakia, Poland, Holland, England,

Belgium, and Switzerland cannot always or easily absorb these newcomers. Their situation is delicate and dangerous.

Faced with these grave humanitarian problems, the 14th Assembly of the League of Nations last September deemed this condition an international scandal capable of amelioration only through international co-operation. Never before in history had the nations of the world been called upon to take care of such a large forced emigration from a presumably civilized country. Never before in history had the world seen such a wholesale uprooting of a whole population by legislative decree. Even if Germany refused to co-operate in any manner in this work of simple humanity, some sort of international action, all the delegates at Geneva agreed, had to be taken.

To this end, a High Commissioner, Mr. James G. MacDonald of the United States was appointed to be assisted by a Governing Body composed of the representatives of fifteen governments including the United States, and under the chairmanship of Viscount Cecil of Great Britain. This body co-operates with an Advisory Council representing private organizations, Jewish and non-Jewish, concerned with the refugee problem. It is these private organizations,—including together with Jewish bodies the Caritas Catolica, the Universal Christian Council for Life and Work, the Society of Friends, the International Federation of Trade Unions, and the Joint Representation of the International Student Service and Academic Council—which are occupied with fund-raising and technical assistance.

The Nazi government, in addition to refraining from sanctioning this international humanitarian movement, has refused to co-operate in any way with the Commission, either by making egress from the country simpler or in furnishing facilities for emigration. According to recent press reports, refugees returning to Germany since February 1935 are being arrested and sent to *Schulungslager* (educational camps), presumably to be enlightened regarding the new order in Germany. This move has, for the time being, completely blocked repatriation to Germany of those refugees who are not legally estopped from returning. The most pathetic refugees are the children, who fail to comprehend this flight from their homes and yet will feel most severely its tragic effects. Many parents, still in Germany, foreseeing this distortion of their children's lives and mentalities, are anxious to send them to foreign

lands where they can live with, and be educated by, sympathetic families.

But whatever the Commission will succeed in doing will at best be but a partial solution of a partial problem. The manifold effects of such a condemnation of these 25,000 refugees to the insecurity of a nomadic existence as men, women and children without a country cannot ever be withdrawn.

5. The Jewish Community's New Burden

The situation created by the Nazi persecution has placed upon the Jews of Germany, directly, and upon their brethren in other lands, indirectly, a stupendous social burden of caring for tens of thousands of declassed persons, arbitrarily deprived of the primitive human right of earning a livelihood. As time goes on the number requiring aid will increase, while the number of Jews within Germany able to contribute such aid will dwindle. Even now, despite great sacrifices, the means at the disposal of the Jews of Germany are inadequate to cope with the emergency; the Jewish communities of other countries, principally Great Britain and the United States, have come to the aid of German Jewry, and are at the same time aiding the communities of France, Holland, Belgium, Switzerland, and Czechoslovakia in caring for the refugees.

In the United States, funds for this purpose are gathered by the American Jewish Joint Distribution Committee, which, since 1914, has been engaged, both directly and in cooperation with associated agencies, in helping to liquidate the unfavorable economic effects of the World War on Jewish communal, religious, and philanthropic institutions in Europe. In Great Britain, the Jewish community established a Central British Fund for German Jewry, which has raised considerable sums.

The Jews still in Germany, fewer than a half million¹, realize that, except for a negligible fraction, their fate and future lie in Germany. After the first precipitate exodus, which poured some 60,000 Jews out of the country within a few months, the Jews remaining face the tragic realization that emigration is, at present,

¹According to the census of June 16, 1933, the total population of Germany increased from 62,410,619 (as reported in the census of 1925) to 65,218,461, whereas the number of Jews *decreased* from 564,379 to 499,682. Thus, the percentage of Jews to the total population dropped from 0.9% to 0.77%. (Figures taken from Statistisches Jahrbuch für das Deutsche Reich, 1934.)

not a practical solution of their problem, and that they must work out a program of readjustment to permit their survival under conditions which are even more onerous than those which faced their ancestors in medieval times.

To meet the emergency situation, the most important Jewish philanthropic, economic aid and emigration associations have merged their work under the general supervision of a voluntary committee known as the Zentral Ausschuss fuer Hilfe und Aufbau (Central Committee for Aid and Reconstruction). The Jewish communities, already depleted of many of their former wealthy members and enfeebled by the increasing unemployment and economic insecurity of many of their remaining members, look to the Zentral Ausschuss to supply the many extraordinary requirements of the Jewish institutions in Germany. While it is clear that considerable palliative relief will have to be extended by the German Jewish communal organizations and philanthropic associations, the Zentral Ausschuss has also embarked on rehabilitative projects. These deal, in the main, with occupational readjustment of older persons, vocational training for the Jewish youth of Germany, economic aid to merchants and to tradesmen and the extension of schooling, elementary and secondary, for the Jewish boys and girls of Germany.

For that large group of Jews who are unable to emigrate, the plea is now for assistance to ruined merchants, tradesmen, shopkeepers and artisans through cooperative society loans and free loan aid, and even by outright grants under the color of loans, to some whose very existence depends on aid of this nature. It is, however, in the field of vocational guidance and training that the largest need and the largest opportunity for service exists.

Already 4,000 youths between 14 and 24 years of age, out of 69,000 in need of it, are being trained. The number that seek training increases apace. Many adults, too, ask for occupational re-education and their number is bound to grow as the present situation continues. To prepare the young methodically and carefully, so that they may be made acceptable as workers, farmers, gardeners, handicraftsmen, artisans, outside Germany, and even be the better equipped to fight for their existence inside Germany should they remain there, is the prime objective of German Jewish reconstructive planning.

At first, while it did little to help, the Nazi government did not place obstacles in the way of this work of vocational retraining although in some localities petty Nazi officials forbade the engagement of Jews as farm-hands. Since the early weeks of 1935, however, this inimical attitude has spread, and it is reported that some officials have ruled that agricultural training of Jews is to be permitted for those only who intend to emigrate from Germany.

As parents who are naturally concerned about the education of their children and especially about their spiritual welfare, those Jews who are compelled to remain in Germany—and they are the vast majority—must either send their children abroad or set up schools for their education in Germany. Inasmuch as the number of those who are able to send their children abroad is a negligible fraction, the Jews of Germany must establish an entire school system of their own.

There are about 63,000 Jewish children of elementary and secondary school age. Eventually, this entire number will have to be afforded an opportunity for education under other than government auspices. Already, according to the Berlin correspondent of the *London Times*, the Jewish community has established and is maintaining seventy elementary schools and ten secondary schools with a total enrollment of 15,000 children and a teaching staff of 600, *i.e.*, two-thirds of the ousted Jewish teachers.

So, also, the need for institutions for the training of teachers, rabbis and spiritual leaders is equally urgent. In the present trying days, there is a strong and intense desire on the part of large groups in Germany for instruction in Jewish matters and for spiritual leadership. The morale of the Jewish populations of smaller communities is a matter of grave concern. Their welfare institutions and centers are deserving of support, if a precipitate, hysterical movement from the villages and smaller towns to the over-congested cities is to be avoided.

The reiterated plea from the leaders of the Zentral Ausschuss, therefore, is for this program, designed to effect a reorganization of Jewish education, vocational training and occupational change for the large numbers of younger and older people, who will have to remain in Germany itself, as well as for those who may be able to emigrate to other lands.

6. Social and Spiritual Effects

Following is a vivid description of the general situation of the Jews of Germany, with particular reference to the social and spiritual effects on the Jewish population of Germany. It is reprinted from the *Manchester Guardian* of January 23, 1934. In spite of rumors to the contrary, the situation has not improved since that date.

"It is difficult to say with any certainty whether the persecution has been 'stabilised' or not. There are signs that it has, although these signs may prove to be transient. The Jews are widely regarded as hostages by the Nazis. They are convenient and defenceless objects of victimisation, and if the Government is in trouble it is always possible to create a diversion by letting the Brown Shirts loose on the Jews. The tendency to "take it out of the Jews" is permanent in Nazi Germany.

"The more sanguinary excesses that went on in huge abundance during the first few months of the Dictatorship have abated. On the whole the Jews can now walk about the streets with little fear of being molested, although they can never be sure of enjoying the same immunity as Gentiles. The anti-Semitic legislation not only remains in force but it is being supplemented and amplified the whole time. The ruin of the German Jewry is progressive. Many Jews cannot possibly adapt themselves to an existence that is narrowing in the sense that more and more professions are either closed altogether or are becoming more and more restricted.

"Emigration grows more difficult as the chances of finding work abroad diminish (if the international labour market were not saturated because of unemployment, German emigrants—Jewish and non-Jewish—would instead of reaching only about 70,000 or 80,000 probably have exceeded the million by now), but unless there is a change in the status of the German Jewry—and of this there is no sign—emigration will continue (perhaps at a rate of 2,000 or 3,000 a year if the persecution is not intensified). The emigrants will chiefly be younger people, while the older generation will die out, and, as the Jewish birth-rate is decreasing in any case, the German Jewry will probably sink to perhaps half its present strength—that is, to about a quarter of a million. The remainder

will possibly be able to go on existing within whatever restricted limits may be left. . . .

"In spite of the exceptions theoretically made in favour of Jews who fought in the war, or lost sons or fathers in the war, the elimination of Jewish lawyers and doctors goes on. In the last week of December there were further dismissals of Jewish doctors engaged in panel practice. Jewish teachers are being robbed of almost every possibility of making a livelihood. The same is true of Jewish journalists. Jews engaged in banking are rather better off, for the Dictatorship has been reluctant to interfere with the delicate machinery of the German and the international banking systems. German newspapers refuse to take Jewish advertisements, but Jews can still do business to a limited extent. Many private firms still employ Jews. In December, the Government, in the interest of general business stability, made several attempts that were partly successful to restrain the anti-Semitic boycotts which are continually being started afresh at the instigation of the minor Nazi leaders. Generally speaking, the pressure on the Jews is much severer—at times to the point of being intolerable—in the small townships and villages than in the big cities.

"Innumerable Jewish families are being uprooted or broken to pieces. Many Gentiles with Jewish wives—or Gentile women with Jewish husbands—are getting the divorce they can now obtain without difficulty, because to be married to a Jew or to a Jewess is to be classified as a "non-Aryan," and therefore as a kind of pariah (the Jews in Germany are literally a pariah or a "depressed" class). It is naturally the younger Jews who tend to emigrate. The older people prefer to stay or to commit suicide (the total number of suicides among Jews is not recorded, but there is reason to believe that it is very big).

"Many Jews in Germany abandoned their Jewish traditions, faith, and usages and became entirely "German," but as the official test of Judaism now is not religious but racial, and as even those who have a Jewish grandparent are considered Jews, they do not escape persecution by having been baptised or having become "German" in outlook. Those Jews who tried to "Germanise" themselves (some even demonstratively repudiating their Judaism) are hit terribly hard, and many have committed suicide. While every generalisation about the German Jewry in its present and imperfectly recorded state is hazardous, it does seem that the greatest power of resistance has been shown by those who have

retained their inward allegiance to their Judaism, especially to their religion. They, at least, are not ashamed of being Jews—on the contrary, many have acquired a new pride, and indeed in the Hitlerite Germany that has suddenly grown up around them they can hardly help feeling that it is not the Nazi “Aryans” but the Jews who are a superior race, with an older and finer tradition, a higher ethic, a deeper inward life, and (in contemplating their own survival after centuries of persecution that have not extinguished them) a surer future than the Nazis with their powerfully and yet so precariously established domination have in store.

“And, by a strange paradox, the German Jewry has become a stronghold of the finest German civilisation. The German theatre, the film, literature, and—in large measure—music and painting have suffered severely during the last ten months. German science has received irreparable damage, not merely by the loss of Jewish and liberal scientists but by the ascendancy of a spirit that is unscientific, or rather anti-scientific. German thought has been equally damaged—German political thought has ceased to exist. There is a profounder understanding of German classical literature amongst Jews than amongst Nazis. There is a Jewish theatrical company which does superb performances of German drama, though only “non-Aryans” are admitted (not the Jews but the Nazis exclude the many “Aryans” who, wishing to see a good play just for once, would like to come).

“It would be an illusion to suppose that there can be any amends for the persecution—the cost in physical and mental suffering, in lives, and in the total ruin of families and fortunes has been far too great. And “surely oppression maketh the just man mad.” A terrible hatred and bitterness that often break out inwardly, poisoning a whole mind, or, in the home, creating rancour, ill-temper, and disruption, are common enough in the absence of any outward justice or possibility of redress. Some German Jews have acquired an extraordinary obsequiousness and a disposition to accept any compromise. But the stupendous disaster that has overtaken the German Jewry, one of the most civilised and intelligent communities in modern Europe, has also produced in many of its members a greater self-reliance, an intensification of the inner life, a deepened religious sense, and a passionate devotion to the permanent values inherent in Judaism.”

Summary

Although the suppression of free speech and free press makes it difficult to establish the full effect of the Nazi program, its severity and intensity may be judged on the basis of the laws themselves as well as reports from responsible foreign correspondents and authoritative observers. Practically half of the Jews gainfully employed were ousted from their posts. A total of 15,000 Jews, (with 13,000 dependents) were ousted from the civil service and liberal professions; in addition 10,000 Jews (including dependents: 20,000) were deprived of their jobs and income in public health or social welfare work. Even Jews legally permitted to practice law suffer from the boycott and hostile receptions by the courts in pleading their cases; Jews can no longer be admitted to the bar. Discriminations against Jewish physicians are numerous and effective. Restrictions on Jews in cultural pursuits and journalism are now in effect, excluding from their activities and many times exiling thousands of leading artists, writers, scientists, and professors. The universities and schools are being "aryanized" also, and the Jews who still remain—even children—are degraded and discriminated against. Jews are being forced to establish schools at their own expense in order to escape this distortion of their 63,000 children's lives and mentalities. Those Jews engaged as workers in industry are excluded from the Nazi Labor Front which replaced the trade unions. Likewise Jews have been almost totally eliminated from commercial and trading enterprise: in the large concerns, through the forces of "coordination" or Nazification; in the smaller, by the systematic boycott.

This systematic program has naturally caused many German Jews to flee their homes and seek refuge in other lands. It is estimated that at least 25,000 of these refugees, scattered throughout Europe, are in need of actual relief and a re-orientation of their shattered lives. Had not their plight in these lands of refuge proven so desperate, and their egress from Germany so difficult, this number undoubtedly would have been much greater.

In order to ameliorate these internationally scandalous conditions, the 1933 Assembly of the League of Nations appointed a High Commissioner to deal with the problem and to be assisted by already existing relief organizations, both Jewish and non-Jewish.

The German government, however, has refused in any way to cooperate in this humanitarian effort.

In Germany itself, relief is urgently needed for 500,000 Jews who still remain and who realize that emigration is not a satisfactory answer. To help these people Jewish organizations have united their efforts in a Central Committee which dispenses palliative relief—loans and economic aid—and organizes rehabilitation projects for occupational adjustment. These problems have imposed a tremendous social and economic burden on the Jewish community of Germany and on sister communities in other lands.

The problem of the 63,000 German-Jewish children has been given immediate attention; and their education must now be carried on privately.

The progressive economic ruin of the Jews in Germany, the difficulties of emigration or of continued peaceful residence, have not in all cases led to spiritual degradation or despair. Many Jews have found as a result of this oppression a new self-reliance, a courageous dignity, and a passionate devotion to the permanent values of their religion.

APPENDIX

TEXT OF LAWS AFFECTING JEWS (Translation)

1. CIVIL SERVICE

Law for the Restoration of the Professional Civil Service

(Reichsgesetzblatt* No. 34) Berlin, April 7th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

(1) For the restoration of a national Professional Civil Service and for simplifying the administration, there may be dismissed those who come under the following rules, even if, according to the general laws effective at present, there is no legal basis for such action.

(2) According to this law the following are to be regarded as Civil Servants: immediate and mediate functionaries of the Reich, immediate and mediate functionaries of the States and functionaries of the Communes and unions of Communes, servants of public law bodies, as well as officers of similar institutions and establishments. (Third decree of the president of the Reich, for securing economy and finances, of October 6th, 1931—Reichsgesetzblatt I, page 537, Part 3, Chapter V, Section I, No. 15 paragraph 1.) The provisions are also to be applied to functionaries of social insurance bodies who have the status of Civil Servants.

(3) Civil Servants according to this law are also functionaries who temporarily retired from active service.

(4) The Reichsbank and Reich Railway Company are authorized to issue similar provisions.

*Official federal law gazette.

§ 2.

(1) Officials who entered service after November 9th, 1918 without having the required or customary education or ability are to be dismissed. Their salaries are to be paid to them for three consecutive months after their dismissal.

(2) They have no claim whatever to temporary allowance, pension or sustenance of their survivors nor any claim to remaining in possession of their titles and uniforms.

(3) In case of distress, especially if they have to care for poor relatives, they may obtain an annuity up to a third of the salary they received in their last position. This annuity, however, may be withdrawn at any time. They have no claim to being insured *ex post* according to the provisions of the Reich Social Insurance.

(4) The provisions of paragraphs 2 and 3 are similarly to be applied to persons described in paragraph 1 who have retired before this law becomes effective.

§ 3.

(1) Civil Servants of non-Aryan descent must retire (§§ 8 ff.) ; as regards the honorary officials, they must be discharged.

(2) The above paragraph does not apply to officials who were already employed as Civil Servants on or before August 1st, 1914, or who, during the World War, fought at the front for Germany or her allies, or whose fathers or sons were killed in action in the World War.

Further exceptions may be granted by the Reich Minister of the Interior in cooperation with the competent heads of the specific Ministries, or by the supreme authorities of the States, as to civil servants working abroad.

§ 4.

Officials who, judged from their previous political activity, do not warrant that they will always unreservedly stand for their national country, may be dismissed. For three consecutive months after their dismissal they get their regular salaries. After that time they get three-quarters of their pension (§ 8) and corresponding maintenance of their survivors.

§ 5.

(1) Every official must consent to being removed to a different office of the same or an equal career, even to an office of a lesser rank and salary, the costs for changing the residence being compensated for, if service demands it. The official who is removed to an office of lesser rank and salary retains his former title and salary.

(2) The official may, within one month, demand retirement instead of removal to an office of lesser rank and salary (paragraph 1).

§ 6.

For the purpose of simplifying the administration, officials may be retired even if they are not yet unfit for service. When officials are retired for this reason, the vacancy must not be filled.

§ 7.

(1) Dismissal, removal to another office and retirement are decreed by the supreme authority of the Reich or States which makes final decisions barring the legal way.

(2) The provisions according to §§ 2 to 6 must be carried through at the latest by September 30th, 1933. This time may be shortened in cooperation with the Minister of the Interior, if the competent supreme authorities of the Reich or States declare that within their administration the provisions of this law are carried through.

§ 8.

Officials who are retired or dismissed according to §§ 3, 4, are not granted a pension, if they have not at least completed a ten-year service; this also applies to cases where according to the existing provisions of the laws of the Reich and States a pension is being granted after a shorter term of service. §§ 36, 47 and 49 of the Reich Civil Service Law, the law of July 4th, 1921, concerning an increased computation of the term of service during the war (*Reichsgesetzblatt*, page 825) and similar provisions of the State Laws are not affected hereby.

§ 9.

For officials dismissed or retired according to §§ 3, 4, the following provisions in regard to pensions are to be applied:

(1) According to the existing provisions, only time served in the Reich, States or Communes may be taken into consideration when computing the term of service worthy of pension, besides service completed in the last position. Even computation of this service is only admissible if it is connected with the last position in education and career; such a connection especially is to be found if the elevation of an official from a lesser career to a higher one is to be regarded as a due advancement. If the official would have obtained a higher pension in a former position duly acquired through education and ability by adding the later years of service, the provision that is more favorable for the official is applied.

(2) The computation of the length of service with public law bodies and similar organizations is regulated by the provisions as to the execution of the law.

(3) Settlements and promises as to pension for services which do not conform with the execution of the provisions of paragraph 1 become invalid.

(4) The Minister of the Interior in cooperation with the Minister of Finances may adjust the rigors of the law affecting officials of the Reich and the public law bodies that are subject to supervision by the Reich; rigors affecting other officials may be adjusted by the supreme authorities of the States.

(5) Paragraphs 1 to 4 as well as § 8 are also to be applied to officials who definitely or temporarily retired before this law becomes effective and to whom §§ 2 to 4 could have been applied if the officials had still been in service at the time when this law becomes effective.

The new settlement of the length of service as regards pension and the settlement of the pension proper or of the temporary allowance must be made at the latest by September 30th, 1933, effective October 1st, 1933.

§ 10.

(1) Directions given as to the amount of the salaries of officials must serve as a basis for fixing the salaries and pensions. If decisions of the competent authorities as to application of the directions are not at hand as yet, they must be made without delay.

(2) If officials according to the decision of the competent authority as to the application of the directions have obtained higher salaries than they were entitled to, they have to return the surplus they received since April 1st, 1932 to the pay office from which the salaries were paid. The objection that enrichment no longer exists (§ 812 ff, Civil Law Book). is excluded.

(3) Paragraphs 1 and 2 also apply to persons who have retired within one year before this law becomes effective.

§ 11.

For officials retired from office according to §§ 3, 4, the following provisions with regard to pensions are to be applied:

(1) If, in fixing the term of service with regard to pension, service outside the territory of the Reich, the States or Communes has been added, the term of service must be fixed anew. Only employment in the service of the Reich, the States, Communes, or public law bodies and similar institutions and organizations, according to the provisions for executing this law, may be computed. The Reich Minister of the Interior in cooperation with the Reich Minister of Finances may make exceptions for officials of the Reich, the supreme authorities of the States may make exceptions for other officials.

(2) If according to paragraph 1 the term of service with regard to salary is to be fixed anew, the new settlement of pension must be made in the case of officials who have been dismissed or retired according to §§ 3, 4.

(3) The same applies to persons mentioned in § 9, paragraph 5.

§ 12.

(1) The salaries of the Reich Ministers appointed since November 9th, 1918 that have not been fixed according to the

provisions of §§ 16 to 24 of the Law concerning the Reich Ministers, of March 27th, 1930 (*Reichsgesetzblatt* I, page 96), are to be fixed anew. In making the new settlement, the above-named provisions of the Law concerning the Reich Ministers are to be applied in such a way, as if they had already been in force at the time of the retirement of the Minister from office. Accordingly, surplus received since April 1st, 1932 is to be returned. The objection that enrichment no longer exists (§ 812 ff, Civil Law Book) is inadmissible.

(2) Paragraph 1 applies to members of a State Government appointed since November 9th, 1918 with the modification that instead of the Law concerning the Reich Ministers, the respective provisions of the State Laws are applied. But salaries may be paid only up to an amount that is in keeping with the rules of §§ 16 to 24 of the Law concerning the Reich Ministers.

(3) The new settlement of the salaries must be made not later than December 31st, 1933.

(4) Additional payments are not made.

§ 13.

The pensions of the survivors are computed by appropriately applying §§ 8 to 12.

§ 14.

(1) Even after dismissal or retirement of officials according to this law disciplinary proceedings may be instituted against them for the purpose of deprivation of pension, sustenance of survivors, title and uniform because of crimes committed in office. Proceedings must be instituted at the latest by December 31st, 1933.

(2) Paragraph 1 also applies to persons who have retired within one year before this law becomes effective and to whom §§ 2 to 4 would have been applicable if these persons had still been in office at the time when this law becomes effective.

§ 15.

The provisions concerning officials similarly apply to clerks and workers.

Details are regulated through provisions as to executing the law.

§ 16.

If in executing this law there appear unjust rigors, higher salaries or transitional fees may be granted within the scope of the general provisions. Decisions hereto are made by the Minister of the Interior in cooperation with the Minister of Finances for officials of the Reich, and by the supreme authorities of the States for other officials.

§ 17.

(1) The Reich Minister of the Interior in cooperation with the Reich Minister of Finances issues the necessary regulations and administrative provisions for carrying out and executing this law.

(2) If necessary the supreme authorities of the States issue supplementary regulations. In doing so they must confine themselves to the framework of the regulations of the Reich.

§ 18.

At the end of the terms fixed in this law, the general provisions as to the Professional Civil Service will be put into force again without derogation of the measures taken on the basis of this law.
Berlin, April 7th, 1933.

THE REICH CHANCELLOR
Adolf Hitler

THE REICH MINISTER OF THE INTERIOR
Frick

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

First Decree with Reference to the Law for the Restoration of the Professional Civil Service, April 11, 1933

(Reichsgesetzblatt No. 37) Berlin, April 11th, 1933

* * * * *

On the basis of § 17 of the law regarding the restoration of the Professional Civil Service of April 7th, 1933 (*Reichsgesetzblatt* I, page 175) the following decree is issued:

Ad § 3.

2.

(1) A person is to be regarded as non-Aryan, who is descended from Jewish parents or grandparents. This holds true even if only one parent or grandparent is of non-Aryan descent. This premise especially obtains if one parent or grandparent was of Jewish faith.

(2) If a civil servant was not already a civil servant on the 1st of August, 1914, he must prove that he is of Aryan descent, or that he fought at the front, or that he is the son or the father of a man killed during the World War. Proof must be given by submitting documents (birth certificate and marriage certificate of the parents, military papers).

(3) If the Aryan descent is doubtful, an opinion must be obtained from the expert on racial research commissioned by the Reich Minister of the Interior. (*Sachverständiger für Rasseforschung.*)

THE REICH MINISTER OF THE INTERIOR
Frick

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

Berlin, the 11th of April 1933.

Second Decree with Reference to the Law for the Restoration of the Professional Civil Service, May 4th, 1933

(Reichsgesetzblatt No. 46) Berlin, May 4th, 1933

* * * * *

On the basis of § 17 of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt I*, pages 175, 177) the following decree regarding § 15 of this law is issued:

§ 3.

(1) Service contracts of persons of non-Aryan descent must be annulled within one month, effective at the end of the following month.

(2) Section 1 does not apply to civil servants who during the World War have fought at the front for Germany or her allies, or whose fathers or sons were killed in action during the World War.

THE REICH MINISTER OF THE INTERIOR
Frick

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

Berlin, the 4th of May 1933.

Third Decree with Reference to the Law for the Restoration of the Professional Civil Service, May 6th, 1933

(Reichsgesetzblatt No. 48) Berlin, May 6th, 1933

* * * * *

On the basis of § 17 of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175) the following decree is issued:

Ad §3. 6.

(2) All officials of non-Aryan descent to whom the exceptions, as stipulated in the law,* do not apply are to be retired.

Ad §7.

Professors, instructors and lecturers in colleges and universities who have been retired or dismissed on the basis of this law automatically lose their license to teach or to lecture. Honorary professors and unsalaried instructors and lecturers equally lose their license to teach or to lecture.

THE REICH MINISTER OF THE INTERIOR
Frick

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

Berlin, the 6th of May 1933.

*i.e.

(1) If a non-Aryan has already been an official (not a plain clerk or laborer in public service) on the 1st of August, 1914, and has remained so continually since.

(2) If a non-Aryan has fought at the front for Germany or her allies during the World War.

(3) If a non-Aryan has lost his father or son in the World War (killed in action).

[Attached to the decree is a sample of the questionnaire to be filled out by Government officials and employees. This questionnaire requires detailed data particularly as to the religion—including any changes of religion—of the official, his parents and each of his four grandparents.

A separate question asks specifically, "Are you of Aryan descent?"]

Law Regarding Change of Provisions Concerning the Law on Officials, Salary and Insurance, June 30th, 1933

(Reichsgesetzblatt No. 74) Berlin, July 1st, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

CHAPTER II.

§ 3.

(3) No person of non-Aryan descent or an Aryan married to a person of non-Aryan descent, may be appointed as an official of the Reich. Officials of the Reich who are of Aryan descent but who marry a person of non-Aryan descent are to be dismissed. The regulations laid down by the Reich Minister of the Interior are to decide what persons are of non-Aryan descent.

§ 6.

(1) The provisions of §§ 1, 1a of the Law on Reich officials (in the wording of this chapter) and of § 5 similarly apply to officials of the States, Communes, Unions of Communes and of other bodies, institutions and foundations of public law.

THE REICH CHANCELLOR
Adolf Hitler

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

THE REICH MINISTER OF THE INTERIOR
Frick

Berlin, the 30th of June 1933.

Direction as to § 1a paragraph 3 of the Law on Officials of the Reich in the Wording of the Law of June 30th, 1933, August 8th, 1933.

(Reichsgesetzblatt No. 91) Berlin, August 9th, 1933

* * * * *

1.

(1) Any person is to be regarded as non-Aryan who is descended from non-Aryan parents, especially from Jewish parents or grandparents. It suffices if one parent or grandparent is non-Aryan. The presumption of non-Aryan descent obtains if one parent or grandparent is of the Jewish faith.

(2) The term descent within the meaning of § 1a paragraph 3 of the law on officials of the Reich also applies to illegitimate descent. No relation of parent or child within the meaning of this instruction is established through adoption.

2.

(1) Whoever is to be appointed as an official of the Reich must prove that he and his consort are of Aryan descent. Every official of the Reich who is about to marry must prove that the person with whom he is about to contract the marriage is of Aryan descent.

(2) Proof must be given by means of documents (birth certificate, marriage certificate of the parents).

(3) If the Aryan descent is doubtful an opinion of the expert for racial research commissioned by the Minister of the Interior is to be obtained.

3.

The directions similarly apply to the law on officials of the States, Communes, Unions of Communes and other bodies, institutions and foundations of public law. In these cases too the expert mentioned in No. 2 paragraph 3 is exclusively competent for giving an opinion.

ACTING FOR THE REICH MINISTER OF
THE INTERIOR

Pfundtner.

Berlin, the 8th of August 1933.

***Second Decree for Changing and Supplementing the
Second Decree for Execution of the Law for the Restoration
of the Professional Civil Service, of September
28th, 1933***

(Reichsgesetzblatt No. 107) Berlin, September 29th, 1933

* * * * *

The second decree for execution of the law for the Restoration of the Professional Civil Service, of the 4th of May, 1933 (*Reichsgesetzblatt* I, page 233) in the wording of the decree for changing and supplementing the second decree for execution of the law for the Restoration of the Professional Civil Service, of the 7th of July, 1933 (*Reichsgesetzblatt* I, page 458) is being changed and supplemented as follows:

IX.

As a new No. 10 is to be inserted:

"10.

(1) Of those entitled to serve, as pointed out in No. 1, only such persons may be taken into service as employees or workers that possess the prescribed or customary education or other ability for the position, and warrant that at any time required they will unreservedly defend the national State. Whoever is of non-Aryan descent, or married to a person of non-Aryan descent, may not be taken into service as an employee or worker.

(2) If urgent considerations of the administration require it, the supreme authority of the Reich or State may in cooperation with the Reich Minister of the Interior make exceptions in individual cases by taking into service employees or workers of non-Aryan descent, or Aryans married to persons of non-Aryan descent."

THE REICH MINISTER OF THE INTERIOR
Frick

ACTING FOR THE REICH MINISTER OF
FINANCES

Reinhardt

Berlin, the 28th of September 1933.

***Ordinance of the Prussian Minister of Justice for the
Execution of the Law for the Restoration of the Pro-
fessional Civil Service***

(Justizministerialblatt¹ page 160) May 23rd, 1933

* * * * *

Non-Aryan Officials.

(5) Officials of whom it is certain that they are of non-Aryan descent * * * are to be scrutinized, whether the provisions of § 3 paragraph 2 and of § 4, of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 apply to them.

(6) The files to be started according to the decree of the 6th of May, 1933 must be started separately for those non-Aryan officials to whom an exception applies within the meaning of § 3 paragraph 2 of the Law of the 7th of April, 1933 (Register No. 1), and for those non-Aryans to whom no exception of the Law applies (Register No. 2).

(12) Register No. 1 and Register No. 2 are not to be collected by the provincial authorities but must immediately be forwarded in the interest of quick action.

(13) Officials whose Aryan descent is questioned by reliable sources, especially by nationally-minded bodies, must within three days, clarify their status.

(15) Officials to whom the provisions of §§ 5, 13 and 14 do not apply must make the following statement:

"I officially declare herewith: I do not know of any circumstances—in spite of careful scrutiny—that may justify the presumption that I am not of Aryan descent; particularly none of my parents or grandparents was of the Jewish faith.

"I am fully aware of the fact that I am liable to punishment and dismissal if this statement is untrue."

***Law Regarding Honorary Offices in Social Insurance and
Reich Insurance, May 18th, 1933***

(Reichsgesetzblatt No. 51) Berlin, May 20th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

¹Prussian Law Gazette.

§ 1.

(1) Holders of honorary offices according to the Reich Insurance Regulation, the Law on Insurance of Employees, the Miners' Law, or the Law on Employment Agencies and Unemployment Insurance may be removed from office.

(2) Paragraph 1 also applies to the assessors of social administration. * * *

(3) Paragraph 1 similarly applies to the members of the organs of the combined sick funds (Kassenvereinigungen) (§ 414 of the Reich Insurance Regulation).

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF LABOR

Franz Seldte

THE REICH MINISTER OF THE INTERIOR

Frick

Berlin, the 18th of May 1933.

First Decree with Reference to the Law on Honorary Offices in Social Insurance and Reich Insurance, May 19th, 1933

(Reichsgesetzblatt No. 51) Berlin, May 20th, 1933

* * * * *

On the basis of § 6 of the law regarding honorary offices in social insurance, and Reich insurance of the 18th of May 1933 (*Reichsgesetzblatt* I, page 277), the following decree is issued:

§ 1.

In general, the provisions of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175) and of its respective decrees must be applied in removing and appointing holders of honorary offices in social insurance and Reich insurance.

ACTING FOR THE REICH MINISTER OF
LABOR

Dr. Krohn

Berlin, the 19th of May 1933.

***Second Decree for the Execution of the Law on Honorary
Offices in the Social Insurance and Reich Welfare***

(Reichsgesetzblatt No. 69) June 27th, 1933

On the basis of § 5 of the Law on Honorary Offices in the Social Insurance and Reich Welfare of the 18th of May, 1933 (*Reichsgesetzblatt* I, p. 277), the following is decreed for medical service in the Social Insurance and Reich Welfare:

§ 1.

The experts at the higher insurance offices and welfare courts (§1686 of the Reich Insurance Regulation, § 22 of the Law on the Procedure in Matters of Welfare) must be newly effective on the 1st of August, 1933; the provisions of the Law for the Restoration of the Professional Civil Service, April, 1933, and of the respective decrees are to be applied accordingly. Whoever therefore*, may not be elected may consequently not be appointed an expert of the Law on the Procedure in Matters of Welfare.

§ 2.

As physicians of trust and communication as well as for similar positions even such physicians of non-Aryan descent may not be appointed for whom an exception is provided in § 3 par. 2 of the Law for the Restoration of the Professional Civil Service, April 7th, 1933.

Insofar as non-official non-Aryan physicians have such a position at present, and do not lose it on the basis of the Law for the Restoration of the Professional Civil Service, the service contract must be rescinded until the 1st of August, 1933, even if notice is permanently or for some time excluded, or dependent on an important reason. This does not apply to physicians who are severely injured due to severe wounding in war (§ 29 of the Law on Reich Welfare).

§ 3.

Rescission of the contract (§ 2 par. 2) is an important reason for terminating the contract as a physician in a hospital, dispensary, etc., if, because of the close connection of that activity with the occupation as a physician of trust or communication, and

*According to the Law for the Restoration of the Professional Civil Service and its respective decrees.

considering all circumstances he cannot be expected to continue his medical service.

§ 5.

In the Social Insurance and Reich Welfare, examination by a non-Aryan physician may be rejected by anyone before the beginning of the examination. In this case care must be taken that the examination can be made by a capable physician of Aryan descent.

§ 6.

These provisions are similarly applied to dentists.

Law for Coordination of the Board of Directors of Public Law Bodies, June 15th, 1933

(Reichsgesetzblatt No. 65) Berlin, June 19th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

(1) Reich, States and Communes (Unions of Communes), as well as other bodies, institutions and foundations of public law, may recall persons who at their initiative have been appointed as members of a board of directors or of a similar body, institution and foundation of public law, as well as of similar institutions and establishments (Third Decree of the Reich Presidents, of the 6th of October, 1931 for securing economy and finances (*Reichsgesetzblatt* I, page 537, Third Part, Chapter V, Section 1 § 15 par 1.). Those persons may, if necessary, be replaced by others, a decree to this effect by the competent organs not being required.

(2) Retirement settles the contract of the recalled member.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

THE REICH MINISTER OF THE INTERIOR

Frick

Berlin, the 15th of June 1933.

2. LAWYERS AND COURTS

Law Regarding Admittance to the Profession of Law, April 7th, 1933

(Reichsgesetzblatt No. 36) Berlin, April 10th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

The admission of lawyers who, according to the Law for the Restoration of the Professional Civil Service, of April 7th, 1933, (*Reichsgesetzblatt* I, page 175) are of non-Aryan descent, may be cancelled till the 30th of September, 1933.

The provision of paragraph 1 does not apply to lawyers already admitted before the 1st of August, 1914, or who, during the World War fought at the front for Germany, or her allies, or who lost their fathers or sons in the World War.

§ 2.

Persons who, according to the Law for the Restoration of the Professional Civil Service, of April 7th, 1933 (*Reichsgesetzblatt* I, page 175) are of non-Aryan descent, may be refused permission to practice law, even if there exists none of the reasons enumerated in the Regulations for Lawyers (*Rechtsanwaltsordnung*).

The same rule applies in cases, as where a lawyer described in § 1 par. 2, wishes to be admitted to another court.

Berlin, April 7th, 1933.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Law Concerning Admission to the Patent Lawyers' and Lawyers' Corporation, April 22nd, 1933

(Reichsgesetzblatt No. 41) Berlin, April 24th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

Patent lawyers who are, within the meaning of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175), non-Aryans may, until the 30th of September, 1933, be struck off the roll of the patent lawyers on file with the Reich Patent Office.

The provision of section 1 does not apply to patent lawyers whose names were on the roll on the 1st of August, 1914, or to those who during the World War fought at the front for Germany or her allies, or who have lost their fathers or sons in the World War.

§ 2.

The admission to the examinations referred to in § 4 of the law concerning patent lawyers and their inscription on the roll of patent lawyers must be refused to individuals who are non-Aryans within the meaning of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175).

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Berlin, the 22d of April 1933.

Ordinance of the Prussian Minister of Justice for Execution of the Law for the Restoration of the Professional Civil Service

(Justizministerialblatt page 164) May 22nd, 1933

* * * * *

(1) According to No. 1 and § 1 of the Third Decree regarding the Law for the Restoration of the Professional Civil Service, of the 6th of May, 1933 (*Reichsgesetzblatt* I, page 245) the mentioned law similarly applies to officials in training, who otherwise—due to prevailing provisions—could not be dismissed immediately. Therefore, barristers who according to § 105 B.D.StO. cannot be dismissed at once must be discharged on the basis of the law of the 7th of April, 1933.

(2) §§ 2 to 4 of that law apply to barristers. Accordingly, barristers are to be dismissed from judicial service, who either

(b) are of non-Aryan descent (No. 2 paragraph 1 of the First Decree),

or

(c) judged by their previous political activity do not warrant that they will unswervingly back the national government (No. 3 of the First Decree and No. 1 to 6 ad § 4 of the Third Decree).

(3) Barristers to whom 2b applies are not to be dismissed

(a) if they fought at the front for the German Reich or for its allies (§ 3 paragraph 2 of the law), or are placed on a par with these front-fighters (No. 3 ad § 3 of the Third Decree),

or,

(b) whose fathers were killed in action during the World War (compare also No. 4 ad § 3 of the Third Decree).

(4) I request the Presidents of the Superior Courts to find out at their earliest convenience—if it has not been done yet—to what barristers the provisions of §§ 2 to 4 of the law apply. All Prussian barristers must give the first names as well as the family names of their parents and grandparents and make the following official statement:

"I officially declare herewith: I do not know of any circumstances—in spite of careful scrutiny—that may justify the presumption that I am not of Aryan descent particularly none of my parents or grandparents was of the Jewish faith.

"I am fully aware of the fact that I am liable to punishment and dismissal if this statement is untrue."

(9) Barristers who are to be dismissed because of their non-Aryan decent will be discharged on the day following their oral examination. * * *

(11) Law candidates of non-Aryan descent are not to be admitted to the first examination, if they had not yet been admitted to this examination before the publication of this ordinance.

(12) Law candidates who apply for admission to the first examination must give the first names as well as the family names of their parents and grandparents and make the following statement:

"I officially declare herewith: I do not know of any circumstances—in spite of careful scrutiny—that may justify the presumption that I am not of Aryan descent; particularly none of my parents or grandparents was of the Jewish faith.

"I am fully aware of the fact that I expose myself to exclusion from the examination or later to possible annulment of my appointment, if this statement is untrue."

Ordinance of the Prussian Minister of Justice for Execution of the Law for the Restoration of the Professional Civil Service

(Justizministerialblatt page 151) May 16th, 1933

* * * * *

§ 2.

The presidents of the courts are to register those notaries to whom §§ 2 to 4 of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 may apply. Those notaries are to hand in to the competent presidents of the courts the questionnaires with a replication . . . within three days, the latest day being the 22nd of May, 1933.

Law for Changing Some Provisions of the Law Regarding Lawyers (Rechtsanwaltsordnung), of the Law on Civil Courts Procedure (Zivilprozessordnung), and of the Law on Labor Courts (Arbeitsgerichtsgesetz), July 20th, 1933

(Reichsgesetzblatt No. 85) Berlin, July 22nd, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

* * * * *

ARTICLE 3.

The Law on Civil Court Procedure is changed as follows:

(2) The following provision is added as sentence 2 to § 1032 paragraph 3:

Non-Aryans within the meaning of the law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175) and of the respective decrees (for the execution of this law) may be rejected.*

ARTICLE 4.

The following is inserted after paragraph 1 in § 93 clause 3 of the Law on Labor Courts:

Non-Aryans within the meaning of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175) and of its respective decrees may be rejected.*

THE REICH CHANCELLOR
Adolf Hitler

THE REICH MINISTER OF JUSTICE
Dr. Gürtner

THE REICH MINISTER OF LABOR
Franz Seldte

Berchtesgaden, the 20th of July, 1933.

Law on Patent Lawyers, September 28th, 1933

(*Reichsgesetzblatt* No. 107) Berlin, September 29th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

FIRST SECTION

Admission to the Patent Lawyers' Association

§ 1.

The names of the patent lawyers are registered with the patent office of the Reich.

*As attorneys and counselors.

§ 3.

Registry may be refused persons who are of non-Aryan descent within the meaning of the provisions valid for officials of the Reich.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Berlin, the 28th of September 1933.

Second Decree for Execution of the Laws Regarding Admission to the Lawyers' and Patent Lawyers' Association, October 1st, 1933

(Reichsgesetzblatt No. 109) Berlin, October 2nd, 1933

* * * * *

From this day on the measures are concluded that have been provided for the Lawyers' and Patent Lawyers' Association in the laws of the 7th and 22nd of April, 1933 (*Reichsgesetzblatt* I, pages 188, 217), and have been limited to the 30th of September, 1933.

On the basis of § 9 of the law of the 22nd of April, 1933, I therefore decree the following:

Every lawyer and patent lawyer who, on the basis of the laws of the 7th and 22nd of April, 1933, is allowed to continue practice, is not only fully to enjoy his professional rights but he also has a right to claim the esteem due him as a member of his profession.

No lawyer or patent lawyer may be hindered or impaired in the lawful practice of his profession.

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Berlin, the 1st of October 1933.

Law on the New Election of Lay Assessors, Jurors and Commercial Judges, April 7th, 1933

(Reichsgesetzblatt No. 36) Berlin, April 10th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

CHAPTER I.

Lay Assessors and Jurors.

§ 1.

The current election term of lay assessors and jurors ends on June 30th, 1933.

The new election term that begins on July 1st, 1933 ends on December 31st, 1934.

§ 2.

The board—as pointed out in § 40 of the law on Court Procedure—must be immediately elected anew. Then, new elections of lay assessors and jurymen are to take place immediately according to the provisions of the Law on Court Procedure.

The original list from which the lay assessors and jurors have been elected for 1933 and 1934 may serve as a basis for the new elections.

§ 3.

The State Department of Justice and the boards appointed by them are authorized herewith to make provisions as to the appointment and nomination of lay assessors and jurors who are to serve until the beginning of the new election term, and in so doing to deviate from the provisions of the Law on Court Procedure.

This authorization is also valid for such measures of the State Governments or of State Departments of Justice which have been ordered between March 21st, 1933 and the day of the enactment of this law.

CHAPTER II.

Commercial Judges.

§ 4.

The term of office of commercial judges must end before June 30th, 1933.

§ 5.

The appointment of new commercial judges must take place before July 1st, 1933 according to the provisions of the Law on Court Procedure.

§ 6.

The State Departments of Justice and the boards appointed by them are authorized herewith to issue ordinances on the withdrawal of appointed commercial judges and on the appointment of commercial judges, who are to hold office until June 30th, 1933. They may hereby deviate from the Law on the Court Procedure.

CHAPTER III.

Composition of the Court.

§ 7.

In civil lawsuits and in criminal proceedings, revision and plea of nullity may not be based on the complaint that between March 21st, 1933 and July 1st, 1933 a court was not composed according to law.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Berlin, April 7th, 1933.

Lay Assessors, Jurors, Commercial Judges

In the "*Völkischer Beobachter*"* of the 13th of April, 1933, under the headlines: "No More Enemies of the State and Jews as Jurors and Commercial Judges," the following announcement of the Bavarian Minister of Justice is published:

(1) On the basis of Section 3 of the Law on the Election of Grand and Petit Jurors and Commercial Judges, of the 7th of April, 1933, the following shall apply for the remainder of the period ending June 30th, 1933:

"Lay assessors and jurors who are of Jewish descent shall no longer be permitted to attend sessions of the grand juries and criminal courts. They shall be replaced by assistant jurors who are not disqualified on these grounds.

"Until the appointment of new commercial judges, the following shall apply: Commercial judges who are of Jewish descent shall no longer be permitted to serve. The President of the State Court appoints in their place another commercial judge of the same or another chamber."

*Official organ of the Nazis, published in Berlin and Munich.

Law Regarding the Assistant Judges of Labor and Arbitration Courts, as well as of Technical Boards for Domestic Work, May 18th, 1933

(Reichsgesetzblatt No. 51) Berlin, May 20th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

ARTICLE I.

Assistant Judges and Labor Courts.

§ 1.

The State Departments of Justice, on the appointment and retirement of the assistant judges of the Labor Courts, as well as of the State Labor Courts, are authorized to make provisions in cooperation with the supreme authorities of the States for social administration till the beginning of the new term (1st of January, 1934). In appointing the assistant judges, they may deviate from the provisions of § 20 paragraphs 1 and 2 and from the provision of § 37 paragraph 1 of the Law on Labor Courts, according to which assistant judges of the State Labor Courts must have served as assistant judges of a Labor Court Department for a period of at least three years.

§ 2.

The Reich Minister of Labor in cooperation with the Reich Minister of Justice is authorized to appoint new assistant judges until the 1st of January, 1934 to replace the former assistant judges of the Reich Labor Court. In doing so, he may deviate from the provision of § 43 paragraph 1, clause 2 of the Law on Labor Courts.

ARTICLE III.

Assessors and Substitutes of Technical Boards for Domestic Work.

§ 1.

The supreme authorities of the States are authorized to make provisions until the 31st of December, 1933 as to the nomination

and appointment as well as removal of assessors and substitutes of the Technical Boards for Domestic Labor. They may deviate hereby from the provisions of § 23 paragraph 1, clause 2 and of paragraph 3 of the Law of Domestic Labor, of the 27th of June, 1923 (*Reichsgesetzblatt I*, pages 472 and 730).

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF LABOR

Franz Seldte

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

Berlin, 18th of May 1933.

Law Regarding the Expiration of Service of Arbitrators

(*Gesetzessammlung*¹ page 213) June 15th, 1933

* * * * *

The government has enacted the following law :

§ 1.

(1) The term of service of arbitrators and their substitutes, who were elected before the 13th of March, 1933, expires on the day when this law goes into effect.

(2) New elections must be held immediately.

¹Prussian Law Gazette.

3. TAX ASSESSORS AND CONSULTANTS

Law Regarding the Reconstitution of Boards of Tax Assessors, April 22nd, 1933

(Reichsgesetzblatt No. 41) Berlin, April 24th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

ARTICLE I.

(1) New Boards of tax assessors at the offices of Internal Revenue are to be formed immediately.

ARTICLE IV.

The State Governments are authorized to apply appropriately the provisions of Article I and of Article II, No. 1 to boards of tax assessors for State taxes.

VICE REICH CHANCELLOR
von Papen

THE REICH MINISTER OF FINANCES
Count Schwerin von Krosigk

Berlin, the 22nd of April 1933.

Law Concerning Admission of Tax Consultants,* May 6th, 1933

(Reichsgesetzblatt No. 49) Berlin, May 11th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

ARTICLE I.

§ 1.

(1) Persons who, in accordance with Law for the Restoration of the Professional Civil Service of the 7th of April, 1933, (*Reichsgesetzblatt I*, page 175) are of non-Aryan descent, may

*In Germany the profession of tax consultant is subject to the same regulations as that of lawyer, patent lawyer, notary, etc.

not be admitted as tax consultants. Admissions already granted to such persons must be revoked.

(2) Lawyers or notaries, even if they are of non-Aryan descent, may occasionally be admitted as attorneys or counsellors in matters of taxation. Other persons of non-Aryan descent may—on principle—not, even occasionally, be admitted to assist in matters of taxation.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF FINANCES

Count Schwerin von Krosigk

Berlin, the 6th of May 1933.

4. PHYSICIANS, DENTISTS AND DENTAL TECHNICIANS

Decree Concerning Admission of Physicians to the National Health Insurance Service* (Krankenkassen), April 22nd, 1933

(Reichsgesetzblatt No. 42) Berlin, April 25th, 1933

* * * * *

On the basis of § 368i paragraph 1 No. 2 and paragraph 3 of the Reich Insurance Regulation, I hereby decree in place of the Reich Committee of Physicians and Sick Funds as follows:

ARTICLE I.

(1) The work of panel doctors and non-Aryan descent, as well as of panel doctors who showed communistic tendencies, must cease. Further admission of such physicians as panel doctors to the National Health Insurance Service is forbidden.

ARTICLE II.

1.

§ 7 paragraph 4 (of the Regulation Regarding Admission—Second Part—of the 30th of December, 1931, *Reichsgesetzblatt* 1932, I, pages 2, 8) reads now as follows:

Registration is permitted only if the physician is a German citizen and of Aryan descent. * * * Non-Aryan descent does not cancel a doctor's registration, if that doctor has done military service during the World War on the side of Germany or her allies, or if his father or son were killed in action during the World War.

2.

§ 8 paragraph 3 (of the above-mentioned admission order) reads now as follows:

To the petition there must be attached:

*In consequence of the diminishing purchasing power of the German population an ever-increasing number is receiving medical attention entirely from panel doctors. Formerly, any German physician was admitted as a panel doctor, and nearly all the younger physicians and many of the older ones earned almost nine-tenths of their income from their panel practice.

(a) The birth certificate and documents proving that the petitioner, as well as his parents and grandparents, are of Aryan descent.

(b) In the case of physicians of non-Aryan descent, whose fathers or sons have fallen in the World War, authenticated proof of the facts.

(c) In the case of physicians of non-Aryan descent who have taken part in the World War, proof that they have fought at the front or rendered medical service at the front or in an isolation hospital.

§ 27a.

The associations of panel doctors on the 1st of July, 1933 must proclaim as cancelled the admission of such physicians who, in accordance with § 22 paragraphs 2 and 3, may not be admitted. This does not apply to physicians who practised before the 1st of August, 1914, providing they have not shown any communistic sympathies.

THE REICH MINISTER OF LABOR
Franz Seldte

Berlin, the 22nd of April 1933.

Decree Concerning Admission of Dentists and Dental Technicians to the National Health Insurance Service, June 2nd, 1933

(Reichsgesetzblatt No. 62) Berlin, June 10th, 1933

* * * * *

On the basis of the fourth decree of the Reich President for securing economy and finances and for protection of internal peace, of the 8th of December, 1931, Fifth part, Chapter I, paragraph 1, § 11 par. 2 (*Reichsgesetzblatt* I, pages 699, 719), I herewith decree:

§ 1.

Dentists and dental technicians of the National Health Insurance Service (§ 225 of the Reich Insurance Regulation) must refrain from practice if they are of non-Aryan descent or if they displayed communistic tendencies; such dentists and technicians are henceforth excluded from this practice.

§ 2.

(1) § 1 does not apply to dentists and dental technicians whose practice dates back to the 1st of August, 1914, or who fought during the World War at the front for Germany or her allies, or whose sons or fathers were killed in action. Nor does this § 1 apply to dentists who during the World War have served for Germany or her allies as physicians at the front or in an isolation hospital.

ACTING FOR THE REICH MINISTER OF
LABOR

Dr. Krohn

Berlin, the 2nd of June 1933.

***Decree Regarding the Admission of Physicians, Dentists
and Dental Technicians to the National Health Insurance
Service, November 20th, 1933***

(Reichsgesetzblatt No. 131) Berlin, November 22nd, 1933

* * * * *

On the basis of the Fourth Decree of the President of the Reich for Securing Economy and Finances and for Guarding the Internal Peace, of the 8th of December, 1931, Part Five, Chapter I, Section 1, § 11, Paragraph 2 (*Reichsgesetzblatt* I, pages 699, 719), and in conformity with § 368, Paragraph I No. 2 and Paragraph 3 of the Reich Insurance Ordinance * * * I decree as follows:

ARTICLE II.

The admission of female physicians, as well as the practice of female dentists and female dental technicians, whose husbands were killed in action during the World War, and whose admission or practice has been stopped only because of their non-Aryan descent, is to be regarded as not terminated.

***Decree Regarding the Union of Dentists Admitted to the
National Health Insurance Service of Germany, July
27th, 1933***

(Reichsgesetzblatt No. 87) Berlin, July 28th, 1933

* * * * *

On the basis of the Fourth Decree of December 8th, 1931, by the President of the Reich, for securing economy and finances,

and for protecting internal peace, Fifth Part, Chapter I, section 1, § 11, paragraph 2 (*Reichsgesetzblatt* I, pages 699, 719), I hereby decree:

CHAPTER 2.

Register.

§ 4.

(4) Registration is admissible only if the candidate is a German citizen and of Aryan descent, if he enjoys civil rights and has not been active as a communist. Non-Aryan descent is no obstacle to registration if the candidates have fought in the World War for Germany or her allies, or if their fathers or sons were killed in action during the World War.

§ 8.

(1) The name of a dentist or of a dental technician is taken off the register if he makes a motion for cancellation.

(4) If the premises for registration (§ 4) are lacking.

§ 15.

(2) If the office of arbitration is in doubt about the Aryan descent of a dentist or of a dental technician, the opinion of the managing committee of the association of the physicians of Germany is to be obtained; this opinion makes the decision arbitrary.

§ 27.

(1) Candidates may not be admitted if there exist some important personal reasons against their admission.

(2) The same applies to candidates of non-Aryan descent, unless they have fought at the front for Germany or her allies during the World War, or unless they have rendered medical service at the front or in an isolation hospital, or have lost their fathers or sons in the World War.

ACTING FOR THE REICH MINISTER OF
LABOR

Rettig

Berlin, the 27th of July 1933.

Fourth Decree for Reorganization of the National Health Insurance Service, February 3rd, 1934

(Reichsgesetzblatt No. 14) Berlin, the 6th of February, 1934

* * * * *

On the basis of the decree of the Reich President regarding the National Health Insurance Service, of the 1st of March, 1933, (*Reichsgesetzblatt* I, page 97) Article 2 § 2, the following decree is issued:

§ 1.

An employee may be taken into service of the National Health Insurance Service or may be promoted only if he passed an examination (an examination for appointment, an examination for promotion).

§ 3.

Subject matter of the examination in addition to the general and professional attainments must be civics (National Socialist view of life), as well as racial theory and eugenics.

§ 4.

The National Health Insurance Service must see to it that all officials, employees and laborers, even if they are not to pass an examination, acquire the necessary knowledge of civics, racial theory and eugenics.

ACTING FOR THE REICH MINISTER OF
LABOR

Rettig.

Berlin, the 3rd of February 1934.

***Substitution of Physicians Only by Aryan Physicians;
Common Practice with Non-Aryans Forbidden***

"Völkischer Beobachter" of the 22nd of August, 1933

* * * * *

The commissioner of physicians Dr. Wagner has supplemented the regulation of the 29th of July concerning cooperation of physicians in reference to substitution, assignments, etc., by a new regulation that reads as follows:

Aryan physicians may be substituted by Aryan physicians only. Non-Aryan physicians to whom exceptions apply, may be substituted by physicians only who may be admitted to the National Health Insurance Service. The same principle applies in the case of employing an assistant.

The following rule must be observed in the case of assignments. Aryan physicians are to assign their Aryan patients to Aryan specialists, physicians of hospitals and sanitariums, and vice versa. Aryan physicians, especially those employed in hospitals, may accept assignments from non-Aryan physicians, where local requirements make it absolutely necessary. This rule first and foremost applies in the case of assignments from non-Aryan physicians to whom the exceptions pertain*, because medical help to insured persons may not be endangered according to the R.V.O. (Reich Insurance Regulation).

Common practice between Aryan and non-Aryan physicians is prohibited. This rule also applies to all physicians to whom the exceptions pertain.

Non-Aryan Physicians No Longer Admitted in Large Cities

"Völkischer Beobachter" of the 24th of November, 1933

A new ordinance of the Minister of Labor regarding admission of physicians, dentists and dental technicians to the National Health Insurance Service gives new important instructions in this matter. According to this new ordinance physicians of non-Aryan descent, as well as physicians whose consorts are of non-Aryan descent, are no longer to be admitted to the National Health Insurance Service in cities of over 100,000 inhabitants.

This regulation has become necessary because it is in the large towns where a great disproportion still exists between Aryan and non-Aryan physicians in the National Health Insurance Service. This state of affairs had to be adjusted.

*The exceptions as stipulated in the Law for the Restoration of the Professional Civil Service of the 7th of April, 1933.

5. EDUCATION

Law Regarding the Organization of Student Bodies at the Universities, April 22nd, 1933

(Reichsgesetzblatt No. 40) Berlin, April 22nd, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

Students of German descent, who use the German language as their mother tongue and who are fully matriculated at a university, form the student body of this university regardless of their citizenship.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF THE INTERIOR

Frick

Berlin, April 22nd, 1933.

Law Against Overcrowding of German Schools, Colleges and Universities, April 25th, 1933

(Reichsgesetzblatt No. 43) Berlin, April 26th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 3.

In those special schools and faculties where the number of pupils and students is greatly disproportionate to professional demand, the number of registered students must be reduced during the school year 1933 as far as it is, without excessive rigor, consistent with a proper proportion.

§ 4.

The number of non-Aryan Germans, within the meaning of the Law for the Restoration of the Professional Civil Service, of the 7th of April, 1933 (*Reichsgesetzblatt* I, page 175), who may be admitted to Schools, Colleges and Universities, must not exceed a

number proportionate to the Aryan students in each School, College or University compared to the percentage of non-Aryan within the entire German population. This proportion is fixed uniformly for the whole Reich.

If, in accordance with § 3 the number of pupils and students is to be reduced, there is likewise a proper proportion to be established between the total number of students and the number of non-Aryans. In doing so a somewhat higher proportion may be fixed.

Paragraphs 1 and 2 do not apply in the cases of non-Aryans, whose fathers have fought at the front during the World War for Germany or her allies, or to children whose parents were married before the enactment of this law, if the father or mother or two of the grandparents are of Aryan origin. The number of these students is not to be included when calculating the quota of non-Aryans.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF THE INTERIOR

Frick

Berlin, the 25th of April 1933.

First Decree with Reference to the Law Against Overcrowding of German Schools, Colleges and Universities, April 25th, 1933

(Reichsgesetzblatt No. 43) Berlin, April 26th, 1933

* * * * *

On the basis of § 6 of the Law Against Overcrowding of German Schools, Colleges and Universities, of the 25th of April 1933 (*Reichsgesetzblatt* I, page 225) the following decree is issued:

Ad § 1. 1.

This law equally applies to public and private schools.

Ad § 4. 8.

The proportion (§ 4 paragraph 1) for new pupils and students is fixed at 1.5 per cent, the proportion when reducing the number of pupils and students (§ 4 paragraph 2) is at most fixed at 5 per cent.

9.

In the individual school the proportion of newly registered pupils and students must be maintained, as long as this school is still attended by pupils of non-Aryan descent who remained there within the scope of § 4 paragraph 2.

If the number of new pupils at the individual school is so small that, according to the proportion no pupil of non-Aryan descent would have to be admitted, *one* pupil of non-Aryan descent may be admitted. In this case, however, further admission of pupils of non-Aryan descent is only lawful if, within the total number of new pupils, since this law has been in effect, the proportion has not been reached.

10.

If a pupil of non-Aryan descent was registered after this law was enacted, and takes a transfer to another school, he is to be calculated in the proportion at the school to which he transfers.

11.

Pupils of non-Aryan descent who, at the beginning of the school year 1933, have entered or enter school for the first time, are in each case to be regarded as not yet accepted. § 4 paragraph 1 applies to them.

The same rule applies to students who for the first time have been or are enrolled at the beginning of the summer semester 1933.

THE REICH MINISTER OF THE INTERIOR
Frick

Berlin, the 25th of April 1933.

New Colleges for Teachers

"Völkischer Beobachter" of the 22nd of December, 1934

* * * * *

The Official Prussian Press Service announces the following:

In the spring of 1934, the Colleges for Teachers will be re-opened at Frankfort on the Oder, Hanover and Cottbus. At the same time, the Colleges for Teachers will be closed at Frankfort on the Main and Halle on the Saxe. Instead, Colleges for Teach-

ers will be opened in due time, in accordance with the new policy for the improvement of the education of teachers—at Weilburg (Upper Latin Section) and Hirschberg in Silesia. Almost all Colleges for Teachers will accept a considerable number of students in the spring of 1934. Only female students will be admitted at Hanover.

Petitions for admission must be made at the Colleges not later than the 15th of January 1934. * * * The candidates must include in their petitions:

(1) A "Curriculum Vitae" (i.e., an autobiography) in the candidate's handwriting, indicating his religion.

(5) Proof of Aryan descent (established by birth certificate, etc.).

Elimination of Jews from the Prussian Public School Administration

"Völkischer Beobachter" of the 24th of December, 1933

* * * * *

The Prussian Government passed an amendment to the Law on Public Schools, according to which the Jewish representatives are to be removed from the Prussian Public School Administration.

The new Prussian Law of the 18th of December, 1933, (G. S. page 492) passed by the Göring Government that has already been promulgated and become effective, expressly cancels all provisions of the Law on Public Schools regulating the representation of Rabbis in the Prussian Public School Administration. The Jews have thus completely been eliminated from the Prussian Public School Administration.

Elimination of the Rabbi from the Committee on Education

"Völkischer Beobachter" of the 24th of December, 1933

* * * * *

Until now the senior rabbi was a member of the Committee on Education in Prussian towns where at least twenty Jewish school children attended the Public School. The Prussian Government has passed a law now, according to which the rabbi may no longer be a member of the Committee on Education.

6. JOURNALISM

Law Regarding Editors, October 4th, 1933

(Reichsgesetzblatt No. 111) Berlin, October 7th, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

SECOND SECTION

Admission to the Profession of Editor

§ 5.

Only such persons may be editors who are:

- (1) German citizens.
- (3) Of Aryan descent and not married to a person of non-Aryan descent.
- (6) Trained for that profession.

§ 9.

The leader of the Reich Association of the German press may on a motion of the leader of the State Association (§ 23)* with the approval of the Minister for Enlightenment and Propaganda, grant exceptions to the premises of § 5 No. 1, 3 and 6. The exception may be limited to certain branches of the activity of an editor. In this case the Minister for Enlightenment and Propaganda grants the exception in cooperation with the competent supreme authority of the Reich or State.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER FOR ENLIGHTEN-
MENT AND PROPAGANDA

Dr. Goebbels

Berlin, the 4th of October 1933.

*§23: The editors legally form part of the Reich Association of the German Press. Every editor must be a member of that body. This law makes the Reich Association of the German Press a public law body. Its seat is in Berlin.

***Decree Concerning Enactments and Execution of the Law
Regarding Editors, December 19th, 1933***

(Reichsgesetzblatt No. 144) Berlin, the 20th of December, 1933

* * * * *

On the basis of §§ 46 and 47 of the Law Regarding Editors, of the 4th of October, 1933 (*Reichsgesetzblatt* I, page 713) and of § 7 of the Law Regarding the Establishment of a Reich Chamber of Culture, of the 22nd of September, 1933 (*Reichsgesetzblatt* I, page 661) the following decree is issued:

§ 16.

(1) The following persons are eligible to exemption from the Aryan clause (§ 5 No. 3 of the law, § 6):

(a) persons who fought during the World War at the front for the German Reich or its allies, or whose fathers or sons were killed in action during the World War; the provisions of the decrees for the execution of the Law Regarding the Restoration of the Professional Civil Service are appropriately to be applied;

(b) persons who wish to be editors of a Jewish paper; but these persons will only be exempted provided they are restricted to such papers.

Moreover the leaders of the State Associations may favor the petitions for exemption from the Aryan clause only in special cases and only as to certain branches of the activity of an editor.

§ 17.

A chance for exemption from the necessity of Aryan marriage (§ 5 No. 3 of the law, § 6) may be given to those persons who had been married already to a person of non-Aryan descent at the time of the promulgation of this law.

ACTING FOR THE REICH MINISTER FOR EN-
LIGHTENMENT AND PROPAGANDA

Dr. Greiner.

ACTING FOR THE REICH MINISTER OF THE
INTERIOR

Pfundtner.

ACTING FOR THE REICH MINISTER OF JUSTICE

Dr. Schlegelberger.

Berlin, the 19th of December 1933.

7. MOTION PICTURES, THEATRE, BROADCASTING, ETC.

Law Regarding the Establishment of a Temporary Film Chamber, July 14th, 1933

(Reichsgesetzblatt No. 82) Berlin, the 17th of July, 1933

* * * * *

The Reich Government has enacted the following law that is promulgated herewith:

§ 3.

Whoever as an employer produces, trades or represents films either professionally or for common use, or who as a film creator cooperates in the production of films, must be a member of the film chamber. Admission to the film chamber may be refused, or a member may be excluded, if facts justify the presumption that the person in question does not possess the necessary reliability for carrying on the film profession.

Film creators are production managers, stage managers, composers, story writers, musical managers, musicians, managers of photography, architects, photographers, sound masters, stars and minor artists, supers, and the like.

THE REICH CHANCELLOR
Adolf Hitler

THE REICH MINISTER FOR PROPAGANDA
AND ENLIGHTENMENT
Dr. Goebbels.

Berlin, the 14th of July 1933.

Decree Regarding the Establishment of a Temporary Film Chamber, of the 22nd of July, 1933

(Reichsgesetzblatt No. 86) Berlin, July 25, 1933.

* * * * *

On the basis of the "Law Regarding the Establishment of a Temporary Film Chamber" of the 14th of July 1933 (Reichsgesetzblatt I page 483) the following decree is issued:

§ 12.

Public presentation of a film is forbidden if its producer cannot prove the membership of all persons participating in it. In case of

doubt the person that possesses the negative is to be regarded as the producer. Proof may be demanded both by the film chamber and the police. Proof must be given by submitting the membership certificates of the film chamber or of one of its branches. If proof cannot be given by the producer, the presentation of the film may be forbidden *ex officio*, or on a motion of the film chamber.

THE MINISTER FOR PROPAGANDA AND
ENLIGHTENMENT

Dr. Goebbels.

Berlin, July 25, 1933.

***Law Regarding the Establishment of a Reich Chamber
of Culture, September 22nd, 1933***

(Reichsgesetzblatt No. 105) Berlin the 26th of September, 1933

* * * * *

The Reich Government passed the following law that is promulgated herewith:

§ 1.

The Reich Government has enacted the following law that is ordered and authorized to comprise all persons active in fields that pertain to his agenda, in bodies of public law.

§ 2.

In conformity with § 1 the following chambers are established:

- (1) A Reich Chamber of Literature.
- (2) A Reich Chamber of the Press.
- (3) A Reich Chamber of the Broadcast.
- (4) A Reich Chamber of the Theatre.
- (5) A Reich Chamber of Music.
- (6) A Reich Chamber of the Plastic Arts.

§ 3.

In establishing the chambers mentioned in § 2, the provisions concerning the Law Regarding the Establishment of a Temporary Film Chamber, of the 14th of July, 1933 (*Reichsgesetzblatt I*, page 483), and the respective decrees are appropriately to be applied.

§ 5.

The bodies mentioned in § 2 are united with the temporary film chamber that henceforth will be known as Reich Chamber of Films in a Reich Chamber of Culture. The Reich Chamber of Culture is under the supervision of the Reich Minister for Enlightenment and Propaganda. It has its seat in Berlin.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER FOR PROPAGANDA
AND ENLIGHTENMENT

Dr. Goebbels.

Berlin, the 22nd of September 1933.

First Decree Concerning the Law Regarding the Establishment of a Reich Chamber of Culture, November 1st, 1933

(Reichsgesetzblatt No. 123) Berlin, the 3rd of November, 1933

* * * * *

On the basis of §§ 6 and 7* of the Law Regarding the Establishment of a Reich Chamber of Culture of the 22nd of September, 1933 (*Reichsgesetzblatt* I, page 661) the following decree is issued:

II.

Membership in the Chamber.

§ 4.

Whoever participates in production, reproduction, spiritual or technical elaboration, dissemination, preservation, sale or commission of sale of a cultural product, must be a member of a branch of the Reich Chamber that appertains to his activity.

Dissemination also means the production and sale of technical means for dissemination.

*§§ 6 and 7 authorize the issuance of decrees.

§ 10.

Admission to a branch chamber may be refused, or a member may be excluded, if facts justify the presumption that the person in question does not possess the necessary reliability and capacity for carrying on his activity.

THE REICH MINISTER FOR ENLIGHTEN-
MENT AND PROPAGANDA

Dr. Goebbels

THE REICH MINISTER OF ECONOMY

Dr. Schmitt.

Berlin, the 1st of November 1933.

Non-Aryans on the German Stage

"*Völkischer Beobachter*", Berlin, the 7th of March, 1934

* * * * *

The following is promulgated officially:

The Minister for Enlightenment and Propaganda has addressed the following request to the State Governments:

"It has been noticed repeatedly that non-Aryans, who had already disappeared and for the most part had evidently fled abroad, now make their appearance in theatres, vaudeville and cabarets, etc.

"I emphasize that appearance on the German stage depends on membership in one of the branch associations of the Reichskulturkammer (i.e. Chamber of Reich Culture) (§ 4 of the First Decree regarding the Law concerning the Reich Chamber of Culture, *Reichsgesetzblatt* I, page 797), and that non-Aryans are regularly refused admission to these associations in conformity with § 10 of the said decree. Therefore, please instruct the police to demand in all questionable cases proof of membership in the association, and, where proof cannot be given, to forbid the appearance.

"Furthermore, I leave it to the police authorities to inform the president of the Reichtheaterkammer of cases where membership in the association is proved, in order that the case may be re-examined. I request you strictly to execute my demand. We must not tolerate a situation that the public resist, by self-help, the appearance of elements of whom it has believed itself already free."

8. ENTAILED ESTATES

Homestead Law, September 29th, 1933

(Reichsgesetzblatt No. 108) Berlin, September 30th, 1933

* * * * *

The Reich Government desires to maintain the peasantry as the wellspring of the German people by securing the German tradition of ancestral rights.

The Reich Government, therefore, has enacted the following law.

* * * * *

The owner of an hereditary manor is called a peasant.

Only a respectable person who is a German citizen and has German or cognate blood may be a peasant.

§ 12.

Only a German citizen can be a peasant.

§ 13.

Requirement of German or Cognate Blood.

(1) Only a person of German or cognate blood may be a peasant.

(2) A person is not considered German or as having cognate blood, if his paternal or maternal ancestors have Jewish or colored blood in their veins.

(3) The first of January, 1800, is the day that decides whether the premises of section 1 obtain. In case of doubt whether the premises of section 1 obtain, the inheritance court decides on a motion of the owner or of the district leader of the peasants.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF JUSTICE

*Dr. Gürtner*THE REICH MINISTER OF NUTRITION
AND AGRICULTURE*R. Walther Darré*

Berlin, the 29th of September 1933.

First Decree for Execution of the Law Regarding Possession of an Entailed Estate, especially Regarding Regulation and Procedure of the Inheritance Courts, October 19th, 1933

(Reichsgesetzblatt No. 118) Berlin, October 20th, 1933

* * * * *

The following is decreed on the basis of §§ 46, 47, 51, 52, 61 of the law regarding the possession of an entailed estate of September 29th, 1933 (*Reichsgesetzblatt I*, page 685) :

§ 7.

Aryan Descent of the Official Members of the Inheritance Courts.

(1) Only persons who, within the meaning of § 13 of the law, are of German or cognate blood may be appointed as chairmen of the Inheritance Court, as chairmen or members of the board of judges of the Inheritance Court, or as official members of the Reich Inheritance Court.

(2) The premises of section 1 is assumed if the Aryan descent, within the meaning of § 1a of the law regarding officials of the Reich, is proved.

§ 14.

Representation of Lawsuits.

(1) The parties concerned may appear with counsel before the Inheritance Courts. They also may be represented by attorneys unless their personal attendance is ordered. The court may demand submission of a legal letter of attorney.

(2) Persons of non-Aryan descent within the meaning of § 1a of the law regarding officials of the Reich or persons who, without being lawyers, make it their business to plead before a tribunal, are excluded as counselors or attorneys in Inheritance Courts. If written petitions are presented by these persons, the chairman or the court is to refuse them; the same rule applies to petitions presented by someone else representing these persons. As for the rest, the provisions of § 157 paragraph 1 clause 2, paragraph 2 of

the civil court procedure in the wording of the law of the 20th of July, 1933 (*Reichsgesetzblatt* I, page 522) are appropriately to be applied.

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

THE REICH MINISTER OF NUTRITION
AND AGRICULTURE

R. Walter Darré

Berlin, the 19th of October 1933.

9. CITIZENSHIP

Law Regarding Annulment of Naturalization and Revocation of German Citizenship, July 14th, 1933

(Reichsgesetzblatt No. 81) Berlin, July 15th, 1933

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The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

Naturalizations granted between the 9th of November, 1918 and the 30th of January, 1933 may be annulled if they are regarded as undesirable.

When naturalization is annulled, besides the naturalized person also those persons lose their German citizenship who would not have acquired it without naturalization.

§ 2.

Citizens of the Reich staying abroad may lose their German citizenship if they have prejudiced the German interests by conduct inimical to Reich and nation. The same rule applies to citizens who do not comply with an order to return, issued by the Minister of the Interior with reference to their instruction. When instituting the proceedings for revocation of the citizenship or, when issuing the order to return, their property may be confiscated and after revocation of the German citizenship declared forfeited to the Reich. * * * The Minister of the Interior, in cooperation with the Minister of Foreign Affairs, decides in each case how far the loss of the German citizenship affects the consort, the legitimate or adopted children, and in the case of women the illegitimate children.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF THE INTERIOR

Frick

THE REICH MINISTER OF FOREIGN AFFAIRS

Baron Neurath

THE REICH MINISTER OF FINANCES

Count of Schwerin von Krosigk

Berlin, the 14th of July 1933.

***Decree for Execution of the Law Regarding Annulment
of Naturalization and Revocation of German Citizen-
ship, July 26th, 1933***

(Reichsgesetzblatt No. 87) Berlin, July 28th, 1933

On the basis of § 3 of the law of the 14th of July, 1933 regarding annulment of naturalization and revocation of German citizenship (*Reichsgesetzblatt* I, page 480), the following is decreed in cooperation with the Ministers of Foreign Affairs and Finances:

I.

Ad § 1. Whether naturalization of a person is to be regarded as desirable is to be determined by ethnic-national principles. The racial, civic and cultural points of view concerning an increase of the German population agreeable to the interests of the Reich and nation are especially to be stressed. Besides facts that occurred before naturalization, circumstances connected with the time after naturalization are primarily to be taken into consideration.

Accordingly for annulment of naturalization, the following especially have to be taken into account:

(a) Jews from Eastern countries, unless they have fought at the front on the German side during the World War or rendered special service to the German cause.

(b) Persons guilty of a serious offence or crime, or those who acted in a way detrimental to the welfare of the Reich and nation.

I.

Ad § 2. It is especially considered an act of disloyalty towards the Reich and nation when a German has been instrumental in spreading hostile propaganda against Germany, or has attempted to debase German prestige or measures of the national government.

ACTING FOR THE REICH MINISTER
OF THE INTERIOR

Pfundtner

Berlin, the 26th of July 1933.

***Law Regarding Expulsion from the Reich,
of the 23rd of March 1934***

(Reichsgesetzblatt No. 32)—Berlin, the 24th of March, 1934.

The Reich Government has enacted the following law that is promulgated herewith:

§ 1.

(1) Deportation of an alien from the Reich includes the order to depart and the prohibition to re-enter the Reich.

(2) Deportation from a State shall no longer take place.

§ 2.

An alien may be deported from the Reich.

(1) If he has been legally sentenced to punishment for having committed a crime or an offense at home, or a deed abroad that is considered a crime or an offense according to German Law.

(2) If, at home or abroad, by the final decision of a competent authority, he has been given into the custody of a correctional institution, or has been committed to a reformatory, or has been ordered sterilized.

(3) If he is or has been active in a way inimical to the Reich, or if otherwise his stay in the country might endanger the internal or external peace of the Reich.

(4) If his conduct is likely to endanger the relations of the Reich with foreign countries.

(5) If he often or flagrantly transgressed the provisions of the law of taxation (inclusive of custom duties), of the monopoly law, or of the law regarding foreign exchange, or of the importation or exportation law, especially if he often or flagrantly neglected his duty regarding payments of taxes (customs), or his duty regarding surrender of foreign exchange.

(6) If he transgressed the provisions of Par. 1, of the ordinance regarding punishing violations of the passport regulations of the 6th of April, 1923 (*Reichsgesetzblatt*, page 249).

(7) If his stay in the country is contrary to the police regulations regarding aliens.

(8) If he often or flagrantly transgressed the police regulations regarding the duty of reporting.

(9) If his conduct endangers public health or morals.

(10) If he is ordered by the competent authority, because of his becoming a public charge, to depart to the country which must take him over directly, or after a formal procedure, and he has not complied with the order.

(11) If he professionally or habitually begs or wanders as a vagrant in the country.

§ 3.

(1) As a rule, deportation from the Reich will not take place,

1. If the alien has not yet completed the fifteenth year of his age;

2. If the alien after the end of imprisonment because of an offense (§2, #1), or, if the punishment has not been executed, since the sentence was passed, has continually resided in the country, and during this time has not been sentenced again for a crime or an offense;

3. If the last breach of the provisions mentioned in sections 6 and 8 of § 2 dates back two years, and the alien has since unmolestedly domiciled in the country.

(2) The provisions of section (1) are not to be applied, if maintenance of public safety makes deportation necessary.

§ 4.

Deportation is ordered by the State police in whose precincts the alien sojourns, or the necessity arises for the intervention of the police.

§ 5.

(1) Whoever has been deported from the Reich, or before this law becomes effective, from a German State, will be punished by imprisonment up to one year and with a fine, or with one of these punishments, if he returns without permission.

(2) Equal punishment takes effect if an alien, without permission, returns to a State from which he is barred by State regulations.

§ 6.

An alien within the meaning of this law is one who does not possess German citizenship.

§ 10.

The Reich Minister of Interior issues the necessary regulations for executing and supplementing this law.

§ 11.

This law becomes effective on the 1st of June, 1934.

THE REICH CHANCELLOR

Adolf Hitler

THE REICH MINISTER OF INTERIOR

Frick

THE REICH MINISTER OF JUSTICE

Dr. Gürtner

10. MISCELLANEOUS

Decree Regarding Granting of Marriage Loans (ED=DVO), June 20th, 1933

(Reichsgesetzblatt No. 67) Berlin, June 22nd, 1933

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On the basis of section VI of the Law for Reducing Unemployment, of the 1st of June, 1933 (*Reichsgesetzblatt* I, pages 323, 329) the following decree is issued concerning section V, insofar as it deals with granting of marriage loans:

Ad § 1 paragraph 1 of the law.

§ 1.

Marriage loans are not granted:

(c) If, due to the political belief of one of the two consorts, it cannot be assumed, that he will always unreservedly defend the interests of the national state.

ACTING FOR THE REICH MINISTER OF
FINANCES

Reinhardt.

Berlin, the 20th of June 1933.

Explanations of the Reich Ministry of the Finances as to the Law Regarding Promotion of Marriage Contracts

(Reichsanzeiger No. 199) July 5th, 1933

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I. Aim of the marriage loans.

There are many young Volksgenossen* and Volksgenossinnen* who are sufficiently matured to marry and would like to marry, but cannot marry because they lack the necessary means for establishing a home. * * *

VI. How the marriage loan certificates are to be spent.

* * * As sales agencies are admitted in the first line enterprises of handicrafts and of the middle class retail trade, and among these enterprises only those whose owners warrant that they will always unswervingly back the National Socialist Government.

*Folk-Comrades (Jews are excluded by the implications contained in this word).

Instructions Regarding Disposing of Public Orders

Reichsanzeiger No. 180 and "Völkischer Beobachter" of 5th of August, 1933

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The Reich Government during its last session of the 14th of July, 1933 decided on the following directions regarding conferring of public orders.

III.

As far as firms are concerned the proprietors or managing officers of which are of non-Aryan descent, the principle obtains that Aryan firms (deutschstämmig") are to be given preference if their offer is equivalent. The officers in charge of the public orders have discretion to decide accordingly. * * *

Disposing of Public Orders

Prussian Ordinance of the 30th of August, 1933 (M. Bl. V. I page 1277)

* * * * *

2.

I believe that the choice of contractors—as heretofore—must be left to the judgment of the responsible offices placing the orders. In placing the orders—I expect and assume this with certainty—even without special instructions everything possible will be done to have especial regard to well-deserved National Socialists.

Association of Brokers; Purging of the Börse

"Völkischer Beobachter" of the 6th of October, 1933

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The Committee appointed by the Government for the examination of pleas for readmission (i.e. to the brokers' association), was not governed by the point of view of decreasing the number of brokers at any rate. Decisive was only the actual purging of the German "Börse" (Stock Exchange) of all foreign and non-Aryan intruders, and the great aim of remaking the vocation of brokers a class of honest merchants who are suitable for their calling because of their national sentiments.

Purging of the Produce Exchange; The Measures in Berlin and Munich

"Völkischer Beobachter" of the 4th of November, 1933

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The purging of the grain markets of undesirable elements is progressing. In Berlin, for instance, fifty-one admissions were cancelled out of a list of one hundred and sixty-three brokers and agents in the grain markets, effective immediately.

In Munich, too, all firms and individuals who want to attend the grain markets after the 1st of January, 1934, must apply for a certificate of admission up to the 25th of November, 1933. Special conditions must be met in applying for admission. The rights of all members of the produce exchange expire at the end of this year.

Jewish Handicraftsmen

"Völkischer Beobachter" of the 18th of October, 1933

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Concerning the membership of Jewish artisans in trades unions the Reichsverband of the German handicrafts (ie., the Reich Federation of the German handicraft) has issued the following instructions:

"The question of membership of Jewish artisans in trades unions is to be solved in the following manner:

"Membership of Jewish artisans in trades unions is admissible as far as binding legal provisions exist in regard to membership in the chamber of artisans and the compulsory guild. But it must be avoided at all events that the Jewish members of the trades unions hold offices or seats on the board. As far as membership in the trades union is not legally required, the individual trades unions may decide at their own discretion whether they want to admit Jewish members or not. But it goes without saying that on principle, Jewish members should not hold offices or seats on the board."



